

## SENATE—Monday, May 1, 1989

(Legislative day of Tuesday, January 3, 1989)

The Senate met at 1 p.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*For there is no power but of God: the Powers that be are ordained of God.—Romans 13:1.*

Eternal God, sovereign Lord of history, Supreme Ruler of the nations, we express our gratitude for the opportunities which recess made possible—time with family and constituents—protection in travel and safe return—rest, relaxation and recreation.

Father God, in this place are 100 of the most powerful people in the world, entrusted by sovereign citizens with governance and ordained by God to the position of power. Where do we look if not to these thy servants for leadership? Where else do we look for models and examples of integrity and dependability? Upon whom may we depend, if not upon these, to address effectively the domestic and world problems which beset us?

Grant, gracious Father, to these whom Thou hast ordained to such awesome responsibility, the will, the courage, and the wisdom “\* \* \* to do justly, and to love mercy, and to walk humbly with Thy God.”—Micah 6:8.

In the name of Jesus, incarnate truth and love. Amen.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized under the standing order.

## THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of proceedings be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## ORDER DESIGNATING PERIOD FOR MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that following time for the two leaders there be a period for morning business, not to extend beyond 2 p.m., with Senators

permitted to speak therein for up to 5 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## ORDER TO CONSIDER S. 431

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 2 p.m. today, the Senate proceed to Calendar No. 23, that is S. 431, a bill to authorize funding for the Martin Luther King, Jr., Federal Holiday Commission.

The PRESIDENT pro tempore. Without objection, that will be the order of the Senate.

## ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, for the information of my colleagues, there will be no rollcall votes today. Any votes which may be ordered in relation to S. 431 will be stacked to occur tomorrow. I hope that the Senate will be able to complete action on S. 431 by tomorrow, and it is my intention, following completion of Senate action on S. 431, to take the fiscal 1990 budget resolution.

Mr. President, I reserve the remainder of my time and I yield to the distinguished Republican leader.

## RECOGNITION OF THE REPUBLICAN LEADER

The PRESIDENT pro tempore. The Republican leader is recognized under the order.

## SCHEDULE

Mr. DOLE. Mr. President, I would only inquire of the majority leader, it is my understanding that after we do the funding resolution, then the balance of the week, whatever it takes, will be on the budget. Is that correct?

Mr. MITCHELL. That is correct. As the distinguished Republican leader and I have discussed privately this morning, we want to complete action on the budget resolution as soon as reasonably possible so Senators should be prepared this week for lengthy sessions and, if necessary, several rollcall votes with respect to the budget resolution.

Mr. DOLE. I would say to the majority leader we have instructed on our side that Senators be contacted to see how many amendments they may have so that I will be able to give the majority leader some good estimate by, say, 2 o'clock on tomorrow.

Mr. MITCHELL. I thank the Republican leader.

Would the Republican leader yield for just a moment?

Mr. DOLE. Yes.

## WELCOME BACK SENATOR GORE

Mr. MITCHELL. I did not see the distinguished Senator from Tennessee at the time and I just wanted to take the opportunity to welcome the distinguished Senator from Tennessee back to the Senate. All of us, of course, every Member of the Senate and Americans everywhere, were gratified at the news of the release of the Senator's son from the hospital and his continued recovery.

We are very, very happy to have you back.

Mr. GORE. I thank the majority leader. I will soon seek recognition to express my thanks in a more formal way, but to the majority leader and the Republican leader I wish to say a special thanks for the very generous resolution introduced and passed and the many thoughts and prayers that came our way. I will elaborate only very briefly, after the leaders are through.

Mr. DOLE. I will be happy to yield to the Senator now, if he would like.

Mr. GORE. I will wait. Thank you.

## RESERVATION OF THE REMAINDER OF THE REPUBLICAN LEADER'S TIME

Mr. DOLE. Mr. President, I yield 1 minute of my leader's time to the distinguished Senator from Iowa and reserve the remainder of my time.

The PRESIDENT pro tempore. The Senator from Iowa [Mr. GRASSLEY] is recognized for 1 minute.

The time remaining under the leader's order is to be reserved to the Republican leader.

Mr. GRASSLEY. I thank the Chair.

(The remarks of Mr. GRASSLEY pertaining to the introduction of legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

## MORNING BUSINESS

The PRESIDENT pro tempore. Under the order there will be a period for the transaction of morning business with Senators permitted to speak therein for not to exceed 5 minutes each.

The Senator from Tennessee [Mr. GORE] is recognized.

#### HEARTFELT GRATITUDE

Mr. GORE. Mr. President, thank you so much. I will be very brief in expressing my heartfelt gratitude to my colleagues and to other Members of the Senate family for the many prayers and best wishes which sustained my wife and me and our family during the past month.

We have been at Johns Hopkins Hospital, at the bedside of our son, since he was hit by an automobile and sustained serious injuries.

I return to the Senate floor today because of the good news that our son is back home from the hospital and, although he still has some hurdles to clear, some physical therapy ahead of him and some broken bones that continue to mend, the prognosis is excellent and we are extremely grateful.

I wish to thank every single one of my colleagues for their prayers and best wishes during this difficult time. I have found a lot new about this Senate family. The outpouring of letters, cards, telephone calls, and personal conversations has been truly comforting and healing for us and for our son.

I intend to thank each of my colleagues individually and in person, but I want to single out just a few of the many gracious gestures that meant so much to us. I earlier referred to the generous action by the majority leader and the Republican leader for sponsoring a Senate resolution commending our son for his courage in the healing process. I want to say also to my colleagues that if anybody ever has a difficult time to get through, Maryland is a good State to pick because our colleagues, Senator SARBANES, and Senator MIKULSKI, were incredible in the efforts and the lengths to which they went in making our family comfortable during this time. They and their staffs were particularly helpful.

I wish to thank all the Senators who took time from their schedules to fill in for me at various events that were scheduled and seemed at the time incredibly important. The significance quickly paled compared to what we were going through, but Senator PRYOR, for example, filled in at a press conference. At another event, Senator ROBB chaired some hearings of my subcommittee, and many other Senators were kind in jumping in to help out. Senator JIM SASSER and his wife, Mary, who have always been wonderful friends to me and my wife and my family, really outdid themselves this time, and for that I am very grateful.

Mr. President, let me say that there are Senators in this body who have themselves suffered personal tragedies, tragedies of which my wife and I are now much more acutely aware, not

only intellectually but personally and emotionally, and I have found many of these Senators to be great ministers. I thank our Chaplain for his activity in ministering to us and, in so doing, acknowledging that there are ministers among our colleagues in a lay sense, that they have been able to share with us their experiences and help us through the time that we have gone through. Of course, many of them have suffered and endured tragedies far more profound than the one which we have been enduring.

I have become much more acutely aware that there are many Senators and employees of the Senate who have gone through a great deal in their lives, and my respect for them is greatly enhanced.

I want to thank Mrs. Leahy and the Senate spouses group who volunteered frequently to do anything they could, even to donate blood to our son as he required repeated transfusions. And so to each and every Member of this body and to colleagues and friends in the other body, to members of the group of employees and staff and all in this community and family—and I have a new sense of what those words mean when they are applied as descriptions of this institution—I really wish to say a heartfelt thank you.

Our son, as I mentioned, has some healing still ahead of him, but he also has the best friends that any 6-year-old could ever ask for. I now know that I have the finest colleagues that any person could ever hope to work with. So on behalf of my wife and my family, I simply wish again to say thank you very much. I yield the floor, Mr. President.

The PRESIDENT pro tempore. What is the will of the Senate?

Mr. REID addressed the Chair.

The PRESIDENT pro tempore. The senior Senator from Nevada [Mr. REID] is recognized for not to exceed 5 minutes.

#### CRIME ON THE RAMPAGE

Mr. REID. Mr. President, I, like many of my colleagues, just returned from a visit to my State. I spent approximately 10 days in the State of Nevada. Mr. President, Nevada is booming and our summer tourist season is approaching. But these favorable conditions are overshadowed by a grim reality. Nevada's business and tourism is booming, but so is the crime and violence that is now plaguing all of our States. Crime is on the rampage.

Our progress is being stymied by this rampage. Nevada prisons are filled to the brim. Most other States have the same problem. It was announced last week that over 600,000 prisoners filled U.S. prisons in 1988. The overflow of prisoners reminds me of a current best seller entitled "Fatal Shores." The

book tells of the "dumping" of British prisoners into Australia. Great Britain had run out of room for its criminals, so they sent them to another country.

Crime is increasing at a breakneck pace. The main cause of this crime-wave is illegal drugs, sold in a market controlled by gangs. Gangs used to reign over territories, each staking out and defending their domain.

Those were innocent days, compared to now. Today's gangs in Las Vegas and all over the country are battling not for territories, but for drug markets and cold cash. Dollars for drug trafficking—that's the new name of the game.

Current estimates are that gangs with their roots in southern California now include 70,000 people. Those gangs have moved into southern Nevada. They are like an epidemic that spreads unmercifully, and kills just as easily. These gangs are not just coming into Nevada; they're moving into States throughout the country.

We can no longer hide our head in the sand. Crime is an overwhelming problem that begs for our attention. Congress attempted to do this last year with the omnibus drug bill. On paper, the bill looks pretty good. But the strength of that bill comes not from what we authorized but what we appropriated.

We did not appropriate enough money to make the bill one that is as effective as it should be—as it must be.

While in Nevada, I met with officials from the Drug Enforcement Administration; the Bureau of Alcohol, Tobacco, and Firearms; the Customs Department; the IRS Criminal Division; and the Secret Service. They each said the same thing—they are underfunded and understaffed. During the past 8 years, these agencies have decreased in size and consequently, in capabilities. They have positions they are not filling, even when vacancies occur due to attrition. The staff in these offices is tasked with more than they can realistically accomplish. Is this the kind of support we give to those upon whom we depend to put an end to the drugs, the gangs, and the crime? These people need much more support to put an end to crime and establish a new beginning for American society. In the past 4 years, something has gone drastically wrong. We cannot tolerate today's reality.

If foreign powers came to this country and did to us what these gangs and drug dealers are doing, we would declare war upon them. It is time we declared war on drugs and gave our people sufficient money and manpower to do the job.

# CARSON CITY HIGH SCHOOL GIRL'S BASKETBALL TEAM

Mr. REID. Mr. President, I rise today to pay tribute to the Carson City High School girl's basketball team.

Often in the shadow of the large Nevada high schools, the Carson City High School girl's team is not only the Nevada women's champion, but also ranked this year among the top 20 teams in the Nation. I am happy to announce that their coach, Alana Williams, has been named Northern Coach of the Year, for this successful season.

Carson City High School, a school of about 1,300 students, is living proof that talented groups of students, and teachers, are not limited to large urban areas. Carson is a progressive school that places strong emphasis on academics. Its athletes do not excel only on the playing courts—the young women I am commending today are also honor students. These well-rounded girls are the pride of Carson City, and all of Nevada. I applaud the girls of the Carson City High School basketball team, and their coach, and encourage them to keep up the good work.

Here is what Ruthe Deskin, a columnist of the Las Vegas Sun, had to say:

When I was a kid growing up in Pizen Switch, and later as a student at University of Nevada, Reno, I was quite a good basketball player. Darn good, in fact. That might account for my love of the game.

This year—and every year—my heart has been with the Runnin' Rebels—no matter what they do. The same goes for the Lady Rebels.

But with all the hoopla that surrounds the Rebel basketball team, a girl's team in northern Nevada has been overlooked—except by those who measure ability and worth.

We should all be proud of the Carson City girl's high school basketball team for ranking among the top 20 teams in the nation this past season.

That's mighty fine for a small school in Nevada and proves that talent isn't confined to larger metropolitan areas.

Congratulations Carson City girls.

# MEMORIAL SERVICE FOR THE 47 NAVY MEN WHO GAVE THEIR LIVES ABOARD THE U.S.S. "IOWA"

Mr. HELMS. Mr. President, the distinguished Senator from Virginia [Mr. WARNER] and I represented the U.S. Senate on April 24 when memorial services were conducted for the 47 young Americans who lost their lives aboard the U.S.S. *Iowa* on April 19.

Needless to say, it was a sad time for all who were present. But it was inspiring, too. In fact, I have never been more impressed than when I heard the words of comfort and sympathy by all who spoke that morning, including the President of the United States.

Mr. President, I will not try to describe the occasion. That can best be done by making a part of the RECORD the texts of the remarks we heard that morning, along with other information about the 47 men and the U.S.S. *Iowa*. Thus, I ask unanimous consent that at the conclusion of my remarks certain material be printed in the RECORD, as follows: First, names of the 47 fine young Americans who lives were lost; second, the program for the memorial service; third, tribute by Capt. F.P. Moosally, USN, commanding officer, U.S.S. *Iowa*; fourth, homily by Capt. John H. Kaelberer, CHC, USN, Atlantic Fleet chaplain; fifth, remarks by President Bush; sixth, benediction by the Honorable William L. Ball III, Secretary of the Navy; and seventh, the "Navy Hymn."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THOSE WHO GAVE THEIR LIVES ABOARD U.S.S. "IOWA" (BB-61), APRIL 19, 1989

Tung Thanh Adams, Robert Wallace Backherms, Dwayne Collier Battle, Walter S. Blakey, Peter Edward Bopp, Ramon Jerel Bradshaw, Phillip Edward Buch, Eric Ellis Casey, John Peter Cramer, Jr., Milton Francis Devaul, Jr., Leslie Allen Everhart, Jr., Gary John Fisk, Tyrone Dwayne Foley, Robert James Gedeon, III, Brian Wayne Gendron, John Leonard Goins, David L. Hanson, Ernest Edward Hanyecz, Clayton Michael Hartwig, Michael William Helton, Scott Alan Holt, Reginald L. Johnson, Jr., Brian Robert Jones, Nathaniel Clifford Jones, Jr., Michael Shannon Justice, Edward J. Kimble, Richard E. Lawrence, Richard John Lewis, Jose Luis Martinez, Jr., Todd Christopher McMullen, Todd Edward Miller, Robert Kenneth Morrison, Otis Levanse Moses, Darin Andrew Ogden, Ricky Ronald Peterson, Matthew Ray Price, Harold Earl Romine, Jr., Geoffrey Scott Schelin, Heath Eugene Stillwagon, Todd Thomas Tatham, Jack Earnest Thompson, Jr., Stephen J. Welden, James Darrell White, Rodney Maurice White, Michael Robert Williams, John Rodney Young, Reginald Owen Ziegler.

MEMORIAL SERVICE, NAVAL BASE, NORFOLK, VA, APRIL 24, 1989

Welcome: VADM J.S. Donnell III, USN, Commander Naval Surface Force, U.S. Atlantic Fleet.

The National Anthem: The United States Atlantic Fleet Band.

Invocation: RADM A.B. Koeneman, CHC, USN, Chief of Chaplains.

Pastoral Prayer: CAPT C.R. Coughlin, CHC, USN, Chaplain, COMNAVSURFLANT.

Reflections: CAPT F.P. Moosally, USN, Commanding Officer, U.S.S. *Iowa*.

Old Testament Reading: LCDR F.A. Thompson, Jr., CHC, USN, U.S.S. *Iowa* Chaplain.

New Testament Reading: LCDR J.L. Danner, CHC, USN, U.S.S. *Iowa* Chaplain.

Homily: CAPT J.H. Kaelberer, CHC, USN, Atlantic Fleet Chaplain.

The President: The Honorable George Bush.

Moment of Meditation.

Benediction: The Honorable William L. Ball III, Secretary of the Navy.

Navy Hymn: All Stand and Remain Standing.

Postlude: The United States Atlantic Fleet Band.

MEMORIAL SERVICE REMARKS, CAPT. F.P. MOOSALLY, COMMANDING OFFICER, U.S.S. "IOWA"

I remember turret two.

I remember their faces as they toiled at their guns, sweating an honest sweat that comes from young men dedicated to a great cause. Who chose to serve, to grow and to learn with others, while securing a place in history for generations after them.

I remember their strong hands as they wielded their great charges with an energy I could only marvel at. The energy of their youth which they channeled towards their love of freedom.

I remember as they talked among themselves, looking so much like sailors of our past, sharing the exuberance of the times and the dreams of the future.

I remember turret two.

They were the life, the spirit and the soul of our ship. They embodied the ideals of our history and the hope of a brighter tomorrow. They gave of themselves to the goals we all share, and they made the ultimate sacrifice for us. We will not, nor can we ever forget the lessons they taught us.

The crew of *Iowa* shared much with turret two. We shared their enthusiasm, their drive and their kindness. We worked side-by-side and shoulder-to-shoulder to build a team, a family, a common bond which can never be broken. And though they have left us in body, they will always remain within us.

We came together in times of trouble. We shared the good and the bad, the comedy, and now the tragedy. The grief we share with you their families, is deep, but we must go on. For we are the crew of *Iowa*. Permanently fused, like the steel of the ship we sail. Our sides are strong, our towers high and our course is set. We are the *Iowa*.

A part of every rivet, every plank and every line. We are the ship. She breathes through us, and she lives as a part of us. As long as she sails the seas we will be a part of her, a part of the *Iowa* spirit. That spirit lives, and the men of turret two will forever be a part of that living spirit.

HOMILY BY CAPT. JOHN H. KAELEBERER, ATLANTIC FLEET CHAPLAIN

Grace to you and peace from God the Father and the Lord Jesus Christ.

Today we remember and honor 47 Navy shipmates who paid the supreme sacrifice for our country. Their names in our program are more than ink upon paper . . . They are sons, husbands and fathers and our great Nation joins with and shares in the grief that the families and the collective family in U.S.S. *Iowa* experiences.

We reach out to you to express our sympathy, to embrace you physically, and just be with you. Because we care and love you, there is a prayer upon the hearts of your fellow-Americans . . . the prayer that God may grant you His peace and His comfort . . . that He mend your broken hearts.

What happened five days ago in No. 2 turret can not be reversed. All that was important to us on Tuesday such as the dinner menu, employment opportunities, the new dress, a night at the movies or ball game, suddenly became irrelevant on Wednesday morning when radio and TV brought the news of tragedy in U.S.S. *Iowa*. All that was

familiar became unfamiliar, meaningless. Even the Scripture passages read moments ago may seem irrelevant.

The Good Shepherd . . . "Where is He?" . . . You ask as you find yourself deep in the valley of the shadow of death . . . a valley whose walls imprison you in grief. Then the words of the psalmist come to you again, words you have heard hundreds of times, but today they come as God's light, love, and peace to your heavy heart: "Yea, though I walk through the valley of the shadow of death, I will fear no evil, for Thou art with me." Then, perhaps, you feel yourself wrapped in helplessness, as you see yourself as a sheep, that is trapped . . . in need of a shepherd. But you need not panic or feverishly search for the shepherd. He has been with you all the time and not for a split-second has He ceased to be the Good Shepherd. He is the only meaning, comfort, peace, and help that you can take hold of.

To the Jew the Good Shepherd is shalom which means not only peace but completion, wholeness comfort . . . all that gives meaning to life.

To the Christian the Good Shepherd is Jesus. In John 10:11 Jesus said: "I am the Good Shepherd." And as Good Shepherd He it is who prepares places in God's heavenly mansions, and who promises that where He is, we may be also . . . all through His resurrection power!

Yes, dear people, there is hope and comfort. Your loved ones, our loved ones, in the line of duty gave their lives for our country. They now know the God who breathed life into them when they were conceived in their mother's wombs. May we, who yet walk in this life know God who is our Creator/Saviour/Lord and know the comfort and the peace which at a time like this, He alone can give.

Amen.

#### REMARKS BY PRESIDENT BUSH

We join today in mourning for the 47 who perished, and in thanks for the 11 who survived. They all were, in the words of J.J. Rooney, "the men behind the guns."

They came from Hidalgo, Texas, and Cleveland, Ohio; from Tampa, Florida, and Costa Mesa, California. They came to the Navy as strangers; served the Navy as shipmates and friends; and left the Navy as brothers in eternity. In the finest Navy tradition, they proudly served on a great battleship—the U.S.S. IOWA.

This dreadnought, built long before these sailors were born, braved the wartime waters of the Atlantic to take President Roosevelt to meet Winston Churchill in Casablanca, and anchored in Tokyo harbor on the day World War II ended. The IOWA earned 11 battle stars in two wars.

October of 1944, off the coast of the Philippines, I can still remember. For those of us serving on carriers in Halsey's 3rd Fleet, having the IOWA nearby really built our confidence. I was proud to recommission the IOWA in 1984. Now fate has written a sorrowful chapter in the history of the U.S.S. IOWA.

Let me say to the IOWA crew, I understand your grief. I, too, have stared at the empty bunks of lost shipmates, and asked, "Why?" I promise you today, we will find out "why"—the circumstances of the tragedy. But, in a larger sense, there will never be answers to the questions that haunt us. We will not—we cannot, as long as we live—know why God has called them home.

But of one thing we can be sure—this world is a more peaceful place because of

the U.S.S. IOWA. The IOWA was recommissioned, and her crew trained, to preserve that peace. So never forget that your friends died for the cause of peace and freedom.

To the Navy community, remember that you have the admiration of America for sharing the burden of grief as a family—especially the Navy wives, who suffer most of the hardships of separation. You have always been strong for the sake of love. You must be heroically strong now. But you will find that love endures. It endures in the lingering memory of time together, in the embrace of a friend, in the bright questioning eyes of a child. And, as for the children of the lost, throughout your lives, you must never forget: Your father was America's pride.

Your mothers and grandmothers, aunts and uncles, are entrusted with the memory of this day. In the years to come, they must pass on to you the legacy of the men behind the guns.

To all who mourn a son, a brother, a husband, a father, a friend—I can only offer you the gratitude of a Nation, for your loved one served his country with distinction and honor.

All Americans hope that our sympathy and appreciation provide some comfort. But true comfort comes from faith and prayer.

Your men are under a different command now, one that knows no rank, only love; knows no danger, only peace. May God bless them all, these men behind the guns.

And may God bless the U.S.S. IOWA, and all who walk her deck.

#### BENEDICTION BY THE HONORABLE WILLIAM L. BALL III, SECRETARY OF THE NAVY

Our Father:

Before we take leave now—one from another—we pause to thank you for your presence here and for your sustaining watchcare over those of our Navy family whose loss we mourn.

We pray that you will bestow upon us the will, compassion, and humility that you enable us to draw strength from each other. It is from that strength that we will renew our faith O Lord—and then from that faith may we seize upon hope.

Be with our President as he leaves us now and shoulders the burdens we have placed on him. Sustain within him the qualities that are your special gift to him—and that bring from his heart those words that console us today.

It is our prayer that you will guide to him our thoughts as a Nation in sorrow—that we may behold all that is noble in the sacrifice of these 47 men of IOWA—and that we may reflect as a Nation on the precious heritage and the national treasure that these sailors and their shipmates represent.

Finally, Lord, we ask most earnestly that you insure that those men taken from us know from this moment and forevermore how proud we are to have had each of them serve under our Flag. We know not where we find such good and able men who came forward to serve at sea. We know only Lord that we trust in you and we have them here by your grace and through your love for us.

Help us to honor them as we leave here with the vow that we shall never forget the price they have paid and the purpose for which they have paid it. For it is in Thy Holy Name that we ask it. Amen.

#### NAVY HYMN

Eternal Father, strong to save,  
Whose arm hath bound the restless wave,

Who bidd'st the mighty ocean deep  
Its own appointed limits keep,  
O hear us when we cry to thee  
For those in peril on the sea!

And when at length her course is run,  
Her work for home and country done,  
Of all the souls that in her sailed  
Let not one life in thee have failed;  
But hear from heaven our sailor's cry,  
And grant eternal life on high! Amen.

#### EUNICE KENNEDY SHRIVER'S ELOQUENT RESPONSE TO THE "ABORTION-RIGHTS MESSAGE"

Mr. HELMS. Mr. President, the April 24 edition of the Washington Post contained a remarkably eloquent letter written by Eunice Kennedy Shriver. I have never read a more impressive analysis of a moral problem besetting our country today.

I shall not comment further except to say that all Senators, and all others who read the CONGRESSIONAL RECORD from time to time, should spend a few minutes reading what Mrs. Shriver wrote.

Mr. President, I ask unanimous consent that Mrs. Shriver's aforementioned letter to the editor be printed in the RECORD, along with a note that she wrote to me.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE JOSEPH P. KENNEDY, JR.,  
FOUNDATION,

Washington, DC, April 25, 1989.

HON. JESSE HELMS,

Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR HELMS: I thought you might be interested in the attached letter to the editor which appeared in the Washington Post on Monday, April 24, 1989.

I hope you will find the letter helpful in clarifying some extremely important and sensitive issues.

Sincerely,

EUNICE KENNEDY SHRIVER.

[From the Washington Post, Apr. 24, 1989]

#### THE DANGEROUS IRONY OF THE ABORTION-RIGHTS MESSAGE

I watched the recent March for Women's Equality/Women's Lives with both pride and dismay; pride that so many thousands of women could come together to affirm significant issues affecting their lives; dismay at the sight of mothers and daughters parading together under the banner of "control of our bodies."

Whatever the arguments pro- or anti-abortion, the assertion of unlimited "control of our bodies" sends a dangerously confusing and ambiguous message to all women, but especially to our generation of teenagers.

For the fact is, our most often-repeated message to teens who would claim their right to control everything that involves their bodies is, "Just say no!" We challenge their right to take drugs, to smoke, to become addicted to alcohol, even to enhance their bodies' strength through steroids.

We say that "control of your body" must be limited to those actions and behaviors that are life-affirming. And this includes

the ways in which we express and use our sexuality, and the way in which we treat the life that our sexuality creates.

When a pregnant teen-ager (or any pregnant woman) goes to see her obstetrician for prenatal care, the obstetrician tells her to eat correctly, stop smoking, stop drinking, don't do drugs, exercise and get proper rest. Is this advice just for her, or is the physician thinking beyond the mother to the fetus? Isn't it strange and confusing that we ask a physician to perform an abortion without regard for the life of the fetus, whereas at the same time, in other cases, we expend great medical resources to treat a fetus in the womb?

There is far more to this issue than control of one's body. There is the overwhelming principle of the affirmation of life; the absolute right for the fetus, as a life, to be considered in making a life-threatening decision.

In a rational and moral society, how can we expect the physician to be responsible both for the welfare of the fetus and for its destruction? Does this affirm the meaning of life or deny it? And what message does this send to our teen-age children concerning the proper "control over their bodies"?

Morality and law should protect the life of the fetus against the absolute "control" of anyone. Even the mother. I am not a lawyer, but if I were pursuing the legal arguments, I would take the position that the courts have already affirmed the civil right of the fetus.

If a product such as thalidomide damages the young fetus, that fetus at birth has legitimate basis for a claim of personal injury against the manufacturer, and large awards have been granted in such cases.

Similarly, if abortion is attempted but is incomplete, and the fetus is born later as a damaged baby, I believe that the fetus, now a baby, has cause for damages resulting from injury during pregnancy. Certainly, being deprived of life—as guaranteed by the Constitution—should be even more a cause for action than being damaged.

Under the Constitution, and our traditions of ethics and morality, no one should exercise absolute control over another. What is missing from the easy acceptance of "control of our bodies" is due process by which the rights of the fetus must be weighed against the rights of the mother.

Such an application of due process would permit the weighing of circumstances and the legitimate claims of both the mother and the fetus. It would make the taking of the life a serious, even agonizing decision for the physician and the mother, not an easy, forgettable act. It would make getting pregnant or making another pregnant a serious, not a cavalier, act. And with hope, it would move us to a more responsible and more life-affirming citizenry in matters of sex.

If we are to be a life-affirming society, we must articulate the values that underlie both our private acts and our public policy; housing for the homeless, food for the hungry, quality education and health care for the poor, the disabled and the young. And then, reflecting on our values, shouldn't we also be a society that cares for and respects and protects life in the womb?

EUNICE KENNEDY SHRIVER.

WASHINGTON.

#### A TRIBUTE TO JIM ANDERSON

Mr. BURDICK. Mr. President, as most of my colleagues in this Chamber

know, I have dedicated my career to the working people of this Nation, the backbone of America. When I think of working people, particularly union members, Jim Anderson of Fargo comes to mind. A member of the International Association of Machinists, Jim is always willing to help his family and friends, his coworkers, and his community. I am proud to know Jim and his wife, Peggy.

Jim was recently given organized labor's highest award for service to youth. I ask unanimous consent that a brief article about this honor be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### ANDERSON HONORED BY MACHINISTS

Jim Anderson, a member of the International Association of Machinists and Aerospace Workers, Lodge 2525 in Fargo, has been presented the George Meany Award, organized labor's highest award for service to youth through the program of the Boy Scouts of America.

The award is given by the Fargo-Moorhead AFL-CIO Trades and Labor Assembly to recognize union members who perform outstanding service to youth as a volunteer Scout leader.

#### THE MIDDLE EAST

Mr. BURDICK. Mr. President, for many years America's efforts to maintain peace in the Middle East have been driven by an overriding desire to assure a steady flow of petroleum. But a recent report in the Cox newspapers suggests that water—not oil—is the resource that will most influence the geopolitical landscape of that politically volatile region.

Andrew Alexander, a reporter with the Washington Bureau of Cox Newspapers, spent 5 months examining water availability and consumption patterns throughout the Middle East. His findings are disturbing—not just because they suggest that the scarcity of water could lead to regional conflict, but because they point out that Congress has all but ignored the likelihood of this crisis. As Mr. Alexander points out, Congress has not devoted a single hearing to this topic in at least the past 10 years. Yet we have approved more aid for the Middle East than any other part of the world during that period.

Mr. President, this report is painstakingly researched and disquieting in its conclusions. It brings to our attention a little known problem that may soon develop into a major crisis. At the same time, an accompanying article offers hope that such a catastrophe can be averted—but only if we act now. I ask unanimous consent that they both be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### LOOMING WATER CRISIS THREATENS MIDEAST—SHORTAGES COULD IGNITE WARS IN FRAGILE REGION

(By Andrew Alexander)

JERUSALEM.—The Middle East is on the verge of a water crisis that could cause unprecedented economic hardship, rip apart fragile political alliances and plunge the region into a series of bloody conflicts by the end of the century. Water—not oil—is emerging as the resource that will most influence the geopolitical shape of the Mideast.

An analysis of hundreds of key indicators gathered from the region—data on water flows, consumption patterns, population trends and economic projections—points to critical water shortfalls in the Mideast by the year 2000.

The struggle for scarce water could be a catalyst for peace—but only if governments begin soon to forge water-sharing agreements.

If they do not, the region could explode into water struggles that would have major implications for the United States and render useless the billions of U.S. dollars spent to maintain a military and political balance in that region.

Water scarcity has been a pressing concern since biblical times in the arid Mideast, where rainfall is irregular and less than 8 percent of the land is cultivated. But only recently have experts begun warning that soaring populations, high water consumption and ravaged economies could combine to ignite simmering political disputes.

"The beginnings of the crisis are already here and the potential for large-scale crisis is great," says Thomas Naff, a leading water expert with Associates for Middle East Research Inc. of Philadelphia.

Similar views are shared by many of the government leaders, technical experts, political analysts and intelligence sources interviewed by Cox Newspapers in Israel, Jordan, Egypt, Turkey, France, Britain and the United States. Many of the informed observers say the issue has not received priority attention in official circles—perhaps because it is a silent problem creeping toward catastrophe.

In the past 10 years, Congress has approved more U.S. aid for the Mideast than any other region of the world. Israel and Egypt alone have received nearly \$60 billion during that period. Yet in that time period U.S. lawmakers have not held a single hearing on Mideast water shortages.

Government leaders in the region acknowledge that water shortages pose a severe problem, but few publicly describe it as a crisis.

"When you ask these people if this is a crisis, you have to ask yourself: 'Compared to what?'" says Joyce Starr, a Mideast water expert with the Center for Strategic and International Studies in Washington. "To them, it may not be a crisis compared to the threat of war tomorrow or the everyday threat of terrorism."

To some, the problem may appear overstated. Tourists in the Mideast find ample water to bathe or swim. The Jordan Valley is lush with irrigated crops. The Nile River flows wide and steady.

Yet such appearances are deceiving. These outward signs of abundance mask immense water problems and potential conflicts. Among them:

By the end of the century, Israel's water needs may exceed supply by 30 percent. Jordan may face a shortfall of 20 percent.

Water rationing has already begun in parts of Israel, Jordan, Syria and Libya.

In southeast Turkey, the government is nearing completion of the mile-long Ataturk Dam as well as more than a dozen smaller dams along the Tigris and Euphrates rivers, which flow into Syria and Iraq. These projects will provide electricity and irrigation to an area of Turkey roughly the size of South Carolina. But they will also diminish the flow of water into Syria and Iraq, which need it for their own industrial and agricultural expansion.

Turkey has pledged to provide Syria and Iraq with an adequate flow of water. But prolonged negotiations have yet to produce a formal agreement.

Experts fear that the Nile River cannot support Egypt's rapidly expanding population, which is projected to double to 110 million in the next 25 years. They warn that the population growth rates are alarmingly high in eight other African nations that rely on the Nile's water, suggesting that the river may not be big enough to support them.

Most countries in the region also face a water quality problem. Confidential studies by the World Bank and independent experts, obtained by Cox Newspapers, warn of unacceptably high levels of water pollution in Jordan. Similar problems exist in Cairo, where sewage often backs up into houses because the burgeoning population has clogged the waste removal system. Some experts fear the sewage is seeping into fresh water supplies.

The consequence of water shortages will not be fields that suddenly become parched.

Rather, the impact will be more gradual, experts report. Dwindling water supplies will more likely mean a steady reduction of living standards in a part of the world already mired in economic crisis. Less water for irrigation will reduce crop yields, which will cut farm exports. As conditions deteriorate, the likelihood of unrest will grow.

There have already been wars—and near wars—in the Mideast over control of key rivers such as the Jordan, Litani, Yarmuk and Orontes.

After that war, the Palestine Liberation Organization launched raids against Jewish water installations, prompting Israel to attack irrigation canals in neighboring Jordan. By damaging crop production, Israel hoped to pressure Jordan's King Hussein to clamp down on the PLO.

War was narrowly averted in 1975 when Iraq mobilized its army against Syria, which had begun to fill an upstream reservoir on the Euphrates River.

As expanding populations create additional demand for water, the number of such incidents could grow.

Israel and Jordan are concerned that Syria will try to alter the flow of the Yarmuk River, which provides critical irrigation for Israeli and Jordanian farms.

Some experts worry over reports that Ethiopia, whose mountains supply the bulk of the runoff that feeds into the Nile, plans to build a dam across that vital waterway. The reduced flow to Egypt, which needs more Nile water to expand agriculture, could lead to war.

Washington expert Starr says the balance of water-sharing along the Nile remains so fragile that a major diversion anywhere along its 4,000-mile route could lead to conflict.

"You've got nine countries sharing the Nile, each with booming populations and growing water requirements," she says.

Nowhere is the water issue more volatile than in Israel.

"We have a serious problem," admits Israeli Water Commissioner Zemach Ishai. "We need more water for agricultural expansion, (but) we don't have any sources that are untapped."

Growing demand has forced Israel to draw on its water resources beyond their replenishment rate. Israeli water officials acknowledge that overpumping the country's two main aquifers has created a nationwide deficit of about 1.7 billion cubic meters (BCM) of water—only slightly less than the 1.9 BCM the country uses annually. Some estimates by outside experts put the annual consumption much higher.

This 1.9 BCM equals about 500 billion gallons of water, which can be compared with Austin's water usage. City officials estimate that Austin water customers use about 33 billion gallons a year.

Experts doubt that Israel's aquifers can be replenished.

"Somewhere between the turn of the century and the year 2010, they are going to have to come up with between 500 and 600 million cubic meters annually of new water," says Naff. "They can't do it."

Once water levels dip below what hydrologists call the "red line," surrounding pools of salt water and other pollutants begin seeping into the aquifers and contaminate the remaining fresh water. A 1987 report by Israel's State Comptroller found seepage into the country's primary coastal aquifer had polluted more than half of the wells there with nitrate levels that exceed the health standards of most Western countries.

Now there is concern that the overpumping will ruin Israel's aquifers. "Once you have destroyed an aquifer it can't be restored in just a few years," warns Naff. "It can take up to 20,000 years."

In a sense, Israel is a victim of its own success. During the past quarter-century, it has emerged as the world leader in efficient water use. Israel pioneered "drip irrigation" technology—specially designed hoses dribble water on individual plants—that has literally made the desert bloom. Cultivated land has increased from 400,000 acres in 1948, when the country gained its independence, to more than 1.6 million acres today. On a per capita basis, Israel now consumes five times more water than its Arab neighbors.

Demand will grow along with Israel's population, which is projected to increase by 1 million to 5.5 million by the end of the century.

Ishai acknowledges "there has been over-exploitation" of water resources in Israel.

According to the latest report of the West Bank Data Base Project, an independent Israel-based research group, Gaza is now experiencing an "acute shortage" of drinking water in some areas. The annual shortfall of about 2.4 million cubic meters is made up by forcing residents to drink brackish water.

Israelis blame the water shortage on Arabs for drilling too many wells in Gaza before the 1967 war. Arabs blame Israeli settlers for taking a disproportionate share every since.

"Regardless of who is at fault, there is no water," says Starr, who last year authored a report on Mideast water problems. She added, "Israel will have to supply Gaza with water by the year 2000 and they don't have the water to supply."

Ishai's solution is to refuse to pipe any Israeli water to Gaza to agriculture purposes after the year 2000, when the Arab population there is expected to exceed 1 million.

"We'll give them water to live," says Yishai, "but we are not going to support their agriculture."

A U.S. diplomat in Jerusalem says such a policy would be "tantamount to starvation" for the Arab residents and would create an "enormous international human rights controversy" for the Israeli Government.

Jordan already faces a water crisis that its burgeoning population and strained economy promise to make worse. Parts of the country now experience shortages during the summer months.

Aquifers and wetlands are drying up as water is withdrawn to meet the agricultural and domestic needs of a population that grows annually by 3.6 percent—the world's fifth-highest growth rate.

"The level of consumption, brought about by development and population, is hitting the ceiling of our fresh-water resources," says Munther Haddadin, former head of the Jordan Valley Authority, which administers the farming area along the Israeli border.

But Jordan is wasting much of its water. Government officials say millions of cubic meters of water are lost each year through broken water mains and evaporation through open canals. Elias Salameh, a leading water expert at the University of Jordan, points to a recent study that shows losses of up to 52 percent in some community water systems. He says acceptable losses should not exceed 15 percent.

In the Jordan Valley, the country's agricultural heartland, the waste is even greater. Up to 60 percent of the annual flow for crop use is lost through overuse by farmers and from evaporation and cracks in the 1960s-era open canals that deliver water to fields, says M. Bani Hani, secretary general of the Jordan Valley Authority.

He hopes losses can be cut by two-thirds by replacing the canals with a network of pressurized pipes. But this urgently needed conversion work has been slowed by Jordan's economic problems.

Even if waste is sharply reduced, he says, Jordan will still face such a severe shortfall by the year 2005 that water will have to be diverted from agriculture to meet the domestic needs of the growing population.

A confidential World Bank report prepared for the Jordanian government last year, found that the demand for industrial and municipal water is already so great that agricultural expansion in the Jordan Valley should be halted immediately so as not to draw off any more water for irrigation. But that step would further exacerbate Jordan's economic woes since agriculture accounts for nearly a fifth of that country's annual export earnings.

With financial help from the United States, Jordan and Syria plan to build a \$400 million "Unity Dam" on the Yarmuk River, which skirts their common border. It would provide electricity for Syria and would give Jordan an additional 150 million cubic meters of water annually.

But the dam must be built by 1995 in order for Jordan to avoid severe water shortages. Even if completed on time, the World Bank report cautions, Jordan's growing population will require another new water source for municipal and industrial needs by the year 2005.

In addition, Jordan's water is becoming badly polluted. The surface water flowing into the reservoir behind the King Talal Dam, which stores water for irrigation, is crusted with a snow-like foam. It is so badly polluted that fishing is forbidden. Some ex-

perts worry that this poor water quality may be contaminating crops.

Jordan Valley farms are irrigated with water from the East Ghor Canal, completed in 1964 with U.S. government aid. In a confidential report to the Jordanian government, a Canadian research scientist noted a "shocking" lack of data on the water's purity.

When he asked an official why the water was not being monitored for pollution, the scientist wrote, he was told: "It is well-known that the East Ghor Canal is grossly contaminated with fecal pollution."

In the impoverished Cairo neighborhood of Mounira el Gedida, where about 150,000 people live 1,000 to an acre, tanker trucks crawl the streets in search of manhole covers hidden beneath decomposed garbage. Drivers pry open the metal lids, stick hoses down the hole, and an engine begins sucking tons of raw sewage into the tank.

This is a sign of the times in Cairo, whose estimated 21 million residents have clogged the city's sewage system, which routinely backs up into houses in impoverished areas. Although Egyptian officials deny it, some water experts believe the sewage is seeping into water supplies.

That is just one of many water problems confronting Egypt.

More serious ones involve the Nile River, which flows majestically through Cairo, giving a false impression that there is more than enough water to meet Egypt's growing agricultural, municipal and industrial needs. In reality, the Nile is being overtaxed. Indeed, there is concern that it may not be able to support the country's growth.

The problem can be seen 600 miles upriver from Cairo at the Soviet-built Aswan High Dam, completed in 1971. About 360 feet high and more than 2 miles long, the dam blocks the Nile. It has created a lake that stretches 300 miles into neighboring Sudan.

The dam was built to provide electricity and to regulate Nile waters for farming. Yet, an unforeseen consequence has been that it has harmed the land. Before the dam was built, seasonal floods deposited up to 20 million tons of mineral-rich mud on the fields. Now, that silt is trapped behind the dam, and the water that passes through is purged of its natural ingredients.

Thus, farmers must purchase fertilizers. While the regulated Nile waters have enabled them to turn more desert land to agricultural use, the crop yield per acre has declined in some areas since the dam was constructed.

The greatest fear among Egyptian water experts is that the Nile will be unable to support the country's soaring population. Under a 1959 agreement with Sudan, Egypt is permitted to withdraw about 55.5 billion cubic meters of water annually from the Nile. That is roughly equal to the amount of water used in many U.S. municipal water supplies each day.

Last year, Egypt used nearly all of its quota. Yet its population is growing at a rate of 2.8 percent a year.

Ossama el-Baz, chief of staff to Egyptian president Hosni Mubarak, is confident the country's future needs can be met through conservation, recycling irrigation water, expanding farmlands and lowering the rate of population growth to 1.5 percent annually.

But others, including experts from Western governments who advise the Egyptians on water matters, are alarmed.

They note that in recent years Egypt has had to import up to 50 percent of its food. Furthermore, they say, the government has

done too little to stop farmers from wasting water through "flood irrigation" techniques.

Government officials agree that one way to increase efficiency is to begin charging farmers for the water they use. But the Mubarak government fears political fallout.

"People have been using this free for years. It's tradition," says A.B. Abulhoda, a top water official. "You can't just start charging them."

If Egypt's water supply problems are difficult during ordinary years, there is potential for drought that would cause widespread suffering.

Several years ago a prolonged drought caused water levels behind the Aswan Dam to sink to within 10 yards of the 12 giant turbines that provide nearly a quarter of Egypt's electricity. Had there not been enough water to turn the turbines, Abulhoda said, there would have been a "very grave" disruption of Egypt's economy.

Egypt's problems could be made worse by developments in upriver countries.

So far, Egypt has been assured of enough water because—under the 30-year-old water-sharing agreement—Sudan has been taking less than its annual allotment. But should peace come to war-torn Sudan, and a new prosperity lead Sudan to demand its full quota, Egypt could suddenly face a critical shortfall.

"We could soon come to a time when a drop of water is more valuable than a drop of petrol," says Abulhoda. "This time will come."

#### TAPPING SCIENCE, BUDGETS FOR ANSWERS

ANKARA, TURKEY.—Turkey's leaders think they have the solution to the Middle East water shortage that threatens economic chaos and conflict throughout the region.

They want to build two giant pipelines that would tap rivers in sparsely populated south-central Turkey. Each pipe would run nearly 1,700 miles south through nine Middle East countries, carrying 1.5 billion gallons a day to 16 million people who face shortages.

The Turks, who would be paid for their water, call it the "Peace Pipeline Project" because it could reduce the risk of wars by forcing traditional adversaries to cooperate in sharing water.

The construction price tag is staggering—\$20 billion.

Yet the leaders of Middle East nations, many of them with ravaged economies, seem resigned to paying whatever it costs to keep the spigot open. They see enormous water projects—dams, reservoirs, deeper wells—as their only option.

They may be wrong.

For there is evidence that vast amounts of water are hidden in the Earth right beneath their feet. And it can be retrieved at a fraction of the cost.

"Most governments see the solution to the crisis as a big dam here or there (or) pipelines going 2,000 miles across countries that are not very friendly towards each other," says Robert Bisson, who heads BCI Geonetics Inc., a New Hampshire-based company that uses new technologies to locate water. "What we have discovered is that a large portion of the water balance has been unaccounted for."

Joyce Starr, a Middle East expert with the Center for Strategic and International Studies in Washington, agrees.

What we don't need are gigantic dams and massive construction projects," she says. "What we need is better management of the

resources we have and breakthroughs in technology."

Bisson estimates that 97 percent of the world's unfrozen fresh water is trapped in fractures in the Earth's crust and in the layers of sand and gravel that cover rock formations. Yet only 5 percent of this has been developed, he believes.

Several years ago in Somalia, an African nation that seems hopelessly parched, Bisson's company discovered water. Using so-called "remote sensing" technology such as computer-enhanced satellite imagery and aerial photographic analysis, BCI specialists tracked moisture as it seeped into the Earth's surface after sparse seasonal rains.

The signs tipped them to the likelihood of water-bearing faults beneath the surface. Wells were drilled and soon hundreds of gallons per minute were gushing to the surface.

BCI has conducted similar high-tech searches in Africa and throughout the United States, and claims nearly 100 percent success in finding water, often at far less cost than piping water from long distances.

A few years ago, BCI was asked to search for water in Seabrook, N.H., after taxpayers defeated a \$2.5 million plan to pump 700,000 gallons a day into the town's water supply from an outside source. BCI located three well sites that began producing 1.6 million gallons a day at a cost of less than \$1.5 million.

Despite the promise that remote sensing holds, Middle East countries are only now beginning to experiment with it. Jordan last year sent three geological engineers to Boston University to study under Farouk El-Baz, who was science adviser to the late Egyptian President Anwar Sadat and who is considered one of the foremost authorities on remote sensing.

"The possibilities are mind-boggling," El-Baz says. "It could be a key to their (water shortage) problem, and it is not nearly so expensive."

Adds Bisson: "If you put the private sector in there with the profit motive, it can be developed efficiently and quickly. The government and the private sector can work in a coordinated fashion."

But most Middle East countries shun remote sensing and continue to plan massive water projects.

BCI Vice President Joseph Ingari thinks it is because geological engineers in these countries, "don't understand the techniques" for discovering water in rock fractures and therefore opt for the traditional big pipeline or well-drilling projects.

Libyan leader Moammar Gadhafi has embarked on what may end up to be a \$25 billion project to pipe water from aquifers beneath the Sahara Desert to coastal cities 1,200 miles to the north. The first phase of what Gadhafi calls the "Great Man-made River" is expected to open this year.

Libyan water officials say the aquifer beneath the Sahara is big enough to keep water flowing through the pipes for at least 50 years. But experts and officials in neighboring countries privately say they believe Libya has overestimated the size of the aquifer and what the amount of available water will never justify the project's enormous cost.

Another large water project is nearing completion in southeast Turkey. There the mile-long Ataturk Dam and a network of more than a dozen smaller dams along the Tigris and Euphrates rivers will provide electricity and irrigation to a part of that country roughly the size of South Carolina.

Its worth is being questioned—but for a different reason.

No one doubts that it will benefit Turkey. But it will also diminish the flow of the rivers into Iraq and Syria, which need the water for their own industrial and agricultural expansion.

"I don't see that they should be concerned," says Ala Balaban, an agricultural engineer at the University of Ankara who has advised his government on the Ataturk project. "We are planning on using our share, not their share."

Yet one U.S. expert predicts that the dams could reduce the flow of the Euphrates into Iraq by two-thirds. So far, Turkey's negotiations on water-sharing with Syria and Iraq have not produced a formal agreement.

Those countries that cannot afford big water projects—or have no more major aquifers to exploit—are forestalling a crisis through conservation.

Israel is the leader. It has pioneered highly efficient irrigation techniques, such as dripping water onto individual plants from hoses rather than flooding crop ditches.

As water has become more scarce, some farmers have switched to producing flowers because they require less water and generate higher profits.

But in Jordan, farmers are resisting government pressure to switch to crops that require less water. Vegetables demand only half as much water as citrus fruit, which produces higher profits.

"The farmers are pushing us to be able to have enough water to produce citrus," says Mr. Bani Hani, who oversees the Jordan Valley Authority from its headquarters in Amman. "But we cannot spare the water."

The Israelis have also become leaders in making rain by seeding clouds. Water Commissioner Zemach Ishai estimates that Israel has increased its annual rainfall by 10 percent through the use of chemicals or dry ice particles to trigger reluctant clouds to produce.

As a last resort, some countries in the region are turning to the desalinization of brackish water to make it drinkable. But it is expensive.

Desalinated water can cost as much as \$5 for about 250 gallons. By comparison, it is estimated that it would cost no more than about \$1 for any of the Middle East countries to receive the same amount of water through Turkey's proposed pipeline.

But Bisson says the project's \$20 billion construction price tag far exceeds what it would cost to extract what is beneath each country's soil.

### BUSH'S REAL PROBLEM—THE RUINS OF REAGANISM

Mr. RIEGLE. Mr. President, I want to draw attention to a column written by our colleague, Senator HOLLINGS, from South Carolina, which appeared in the Sunday edition of the Washington Post. I think we all know from our personal encounters that Senator HOLLINGS is one of the most brilliant Members we have and one of the finest minds in the country on the complex issues that face us. His article entitled "Bush's Real Problem—the Ruins of Reaganism," is, I think, as tough and hardhitting and as accurate an assess-

ment of our economic and fiscal situation as anything I have seen.

It lays out what ought to be said about the problems that face us, and I want to cite briefly his concluding comments from the article. He writes:

True believers assure us that the unfettered marketplace will fill the void left by the demise of government. But it is precisely unfettered markets that have spawned the whole run of crises that grip us today—the S&L industry collapse, the third-world "debt bomb," toxic waste dumps, destruction of the ozone layer, defense-industry fraud and so on.

We will learn—too late, I fear—that there is no substitute for activist, competent government. If Ronald Reagan's malfeasance and George Bush's nonfeasance succeed in bringing the federal government to its knees, America will be naked to its worst domestic enemies: poverty, ignorance, racism, lawlessness. Abroad, we will be bested by nations such as Japan and West Germany that prize their federal governments as muscular engines of economic growth and social justice. In short, we will be at the mercy of events unless we can restore and revitalize the federal government so that it again stands as a proud instrument of national purpose.

I commend this article to all who read the RECORD. I ask unanimous consent that the article be printed in full in the RECORD today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 30, 1989]

#### BUSH'S REAL PROBLEM—THE RUINS OF REAGANISM

(By Ernest F. Hollings)

Uncle Sam is running on empty.

This is not by accident or oversight. When Ronald Reagan came to Washington in 1981, he made no bones about his intention to slash government spending and trash the federal bureaucracy. He flaunted his contempt for government.

Eight years later, liberal pundits crow that the Reagan revolution has failed, that the federal fortress stands stronger than ever. They are dead wrong.

The reality is that President Reagan dealt Uncle Sam a crippling blow. He left a federal treasury that is broke and paralyzed by debt; a federal work force that is demoralized and discredited; a public infrastructure that is literally crumbling. What's more, by mobilizing the nation's voters as "an overpowering bloc vote against necessary taxation" (David Stockman's words), Reagan sapped the government's capacity to put its house—and books—in order. George Bush's craven "Read my lips, no new taxes" is the Rosemary's Baby of the Reagan presidency.

To serve in Washington today is to witness the federal government at its worst. We on Capitol Hill preen as we introduce empty "sense of the Senate" resolutions, sham budgets and hollow bills and then expect to get a good-government award for our efforts. A sad example is the anti-drug legislation passed and signed with such bombast just before the 1988 election. The bill promised an impressive \$2.5 billion for a jihad against drugs, but when the dust settled, Congress actually appropriated only \$500 million. William Bennett is less a "czar" than a pretender to the throne.

In like manner, Congress and the White House have made a fine art of bogus budgeting. Consider how we will pretend to reduce the federal deficit in 1990 from its true level approaching \$300 billion down to the Gramm-Rudman-Hollings deficit limit of \$100 billion: First, we will siphon off the \$68-billion surplus in the Social Security "trust fund." Then we'll ransack other trust funds (including those for highway and airport improvements) to the tune of \$67 billion. We'll throw in monkeyshine economic assumptions such as short-term interest rates falling to 5.5 percent to "save" another \$19 billion. Finally, we'll make a few token budget cuts and phantom asset sales and—voilà!—another victory for "fiscal responsibility."

Meanwhile, under George Bush as under Ronald Reagan, the hollowing out of the federal government continues apace. Profound social problems—the pathologies of the underclass, a failing education system, declining competitiveness—are not addressed in any meaningful way whatsoever. Our government has charted a course of drift, disinvestment and decline.

The press has focused on the most dramatic cases of neglect: the \$300-billion price tag for non-supervision of the S&L industry; the \$150-billion cost of fixing neglected federal nuclear-weapons plants; the \$100-billion-plus expense of cleaning up toxic waste dumps. But with the exception of one important area—national defense—the demise of government can be documented in virtually every key area of public policy. Consider the following:

#### EDUCATION

The Reagan administration fell short of its goal of abolishing the Department of Education, but it nonetheless slashed funding and cut the department's staff by 25 percent. Since 1980, adjusted for inflation, education block grants to states have been cut by 63 percent; bilingual education by 47 percent; vocational education by 29 percent; college work-study by 26.5 percent.

Chapter I, the major federal education program to help disadvantaged primary and secondary school children, reached 75 out of 100 eligible poor children in 1980; today it reaches only 54 of 100; some 500,000 kids have been dropped from the program. Head Start, the program for disadvantaged preschoolers, now serves only one in five eligible children. Cuts in the federal school lunch program have kicked 3 million needy kids off the program's rolls.

#### HOUSING/HOMELESSNESS

Since 1981, federal funding for subsidized housing has been slashed by 81 percent. The estimated waiting time for public-housing vacancy in New York City is 18 years. Every year, half a million units of low-income housing are lost to demolition, arson and gentrification. There are now upwards of 3 million homeless Americans, including entire families (34 percent of the homeless population, and the fastest growing homeless group) and the deinstitutionalized mentally ill (another shameful example of the abdication of government responsibility). Most cities report that demand for shelters has doubled or tripled in recent years.

#### INFRASTRUCTURE

Systematic neglect of public transportation in recent years has left a staggering toll. As just one example, some 577,000 bridges—approximately one in four—have been determined to be dangerous. Officials estimate that it will cost \$51 billion to

repair or replace these deficient bridges, yet only \$1.5 billion has been appropriated for this fiscal year. Some 4,000 bridges have been closed, but many more stay open that shouldn't. Expect ever more frequent bridge failures such as the Hatchie River collapse in Tennessee in early April; seven people were killed as their cars plunged into the abyss created by years of neglect.

#### AIR TRANSPORT

The number of airline flights has increased by 30 percent since 1980, yet the number of air controllers has not increased; indeed, there are 3,000 fewer "full-performance level" controllers today than in 1981. The Federal Aviation Administration estimates that \$26 billion must be spent over the next 10 years to expand airport capacity and improve traffic control, yet the 1990 budget request is for only \$1.35 billion. There is a \$6-billion surplus in the Airport and Airway Trust Fund (generated by the 8-percent passenger ticket tax), but the Reagan and Bush administrations have refused to spend it for its intended purpose.

#### SAFETY-NET PROGRAMS

In constant dollars, Aid to Families with Dependent Children (AFDC) benefits have been cut by 26 percent since 1977. In 31 states, the maximum AFDC payment for a family of three in 1988 was less than half the poverty level. Even including food stamps, benefits were below the poverty level in 47 states. In 1973, AFDC covered 84 children for every 100 living in poverty; in 1987, it covered only 60 of 100.

Basic nutrition programs have also been neglected. The Women, Infants and Children (WIC) program is one of the most cost-effective social programs ever devised; on average, \$1 invested in its prenatal component saves \$3 in short-term hospital costs. Nonetheless, funding last year served only 50 percent of the eligible poor.

#### HEALTH CARE/HEALTH RESEARCH

Community health centers serve only 5 million of the 25 million poor who are eligible. Migrant health care centers serve only 500,000 out of 3 million eligible. Approximately 37 million Americans do not have health insurance—20 percent more than in 1980. Is it any wonder that the United States now has the highest rate of infant mortality among developed nations?

More trouble for the long term will result from the decay of America's infrastructure for medical research. The federal government's best medical researchers are leaving in droves because of absurdly low pay caps. So deep have been budget cuts at the National Institutes of Health that only 20 percent of "highly meritorious" research grants are now approved as compared to a more traditional rate of 45-55 percent.

#### CONSUMER PROTECTION

The current Consumer Product Safety commissioners' anti-regulatory bias has virtually ended the commission's function. Despite complaints on everything from playground equipment to disposable lighters to space heaters, the commission has not promulgated a new rule since 1984. The staff has been gutted and the number of commissioners reduced from five to three because of budget restrictions. Since the chairman resigned in January, the commission has lacked a legal quorum and been unable to meet.

#### NATURAL RESOURCES/ENVIRONMENT

In 1978, 3 percent of the federal budget was spent on programs involving natural resources, conservation and environmental protection; 10 years later, that percentage had been cut in half. Federal spending for

sewage-treatment facilities has fallen from \$4.5 billion in 1978 to only \$1.2 billion requested for 1990.

In 1978, \$805 million was appropriated for the purchase of land for national parks and recreation areas; in 1988, President Reagan requested a paltry \$18 million for such purchases. Meanwhile, we have abdicated federal stewardship over America's priceless natural wonders. The government's initial reaction to Exxon Valdez was "let the private sector handle it." On questions of drilling, cutting a grazing on pristine public lands, the administration's knee-jerk policy is "let 'er rip."

#### TRADE

A key factor in the record trade deficits of recent years has been the federal government's refusal to enforce U.S. import laws or to promote exports. The total injury last year from illegal imports is \$3 billion in lost customs duties, \$19 billion in lost sales by U.S. firms, \$8 billion to \$12 billion in lost national output and nearly a half million lost jobs.

To take just one example of the consequences of the no-policy approach to trade, consider the fate of the U.S. footwear industry. In 1981, with footwear imports totaling 51 percent of the U.S. market, President Reagan terminated all restrictions on footwear imports. By 1984, footwear imports had seized 71 percent of the market, but the U.S. International Trade Commission (ITC) still found "no injury." In 1985, when footwear imports reached 77 percent of the U.S. market, the ITC finally recommended global quotas for five years; President Reagan, however, refused to act. By 1988, imports had captured 82 percent of the U.S. footwear market and were still on the increase.

Even this cursory review of the policy record of the 1980s leaves no doubt: The Reagan revolution against government has "succeeded"—beyond its fomentor's wildest dreams. Indeed, driven by debt and deficits, that revolution has now assumed a destructive dynamic all its own.

True believers assure us that the unfettered marketplace will fill the void left by the demise of government. But it is precisely unfettered markets that have spawned the whole run of crises that grip us today—the S&L industry collapse, the third-world "debt bomb," toxic waste dumps, destruction of the ozone layer, defense-industry fraud and so on.

We will learn—too late, I fear—that there is no substitute for activist, competent government. If Ronald Reagan's malfeasance and George Bush's nonfeasance succeed in bringing the federal government to its knees, America will be naked to its worst domestic enemies: poverty, ignorance, racism, lawlessness. Abroad, we will be bested by nations such as Japan and West Germany that prize their federal governments as muscular engines of economic growth and social justice. In short, we will be at the mercy of events unless we can restore and revitalize the federal government so that it again stands as a proud instrument of national purpose.

#### VICTIM OF TERRORISM

Mr. SPECTER. Mr. President, very briefly I call the attention of the Senate to a very disturbing article which appeared in the New York Times yesterday relating to the dismissal of the victim of a bombing in La Jolla, CA, one Sharon Rogers, the wife

of Capt. Will Rogers III, who was the captain of the *Vincennes*, involved in the firing on a misidentified ship resulting in the downing of an Iranian war plane.

Mrs. Rogers herself was a victim of a terrorist attack and as a result of the attack on March 10, 1989, the school's trustees, according to this account, "bowed to terrorism and refused to let her continue teaching."

The new account reports:

... officials at the La Jolla Country Day School said they had to put the safety of students and faculty first. They also still believed that Mrs. Rogers' presence posed a risk to others' safety that could not be ignored.

When Mrs. Rogers commented about that she said:

Many people have asked me if I am angry at the way I have been treated by the school. I may say that over the past weeks I have felt many different emotions, but today I am simply just disappointed. More disappointed than I can possibly express.

Asked if she believed that some school officials and parents had capitulated to terrorism, she replied:

I have a feeling some of them have. Yes. I feel very sad for our country.

Mr. President, when I read this account I feel very sad for Mrs. Rogers, very sad for the community, very sad for the school, and very sad for what has resulted. If we are to stand up to terrorism, if we are to have men serving in the Navy, and if we are to have relatives, wives of such military heroes subjected to terrorist attacks and then have them let down by their fellow members of their community and schools, I think it is a very sad day for this country and it really undercuts our efforts to fight terrorism.

Mr. President, I ask unanimous consent that the article from the New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### VICTIM OF BOMBING ACCEPTS DISMISSAL

SAN DIEGO, April 29.—The wife of skipper of the U.S.S. *Vincennes*, who lost her teaching job last month after her van was bombed, has formally submitted her resignation in exchange for \$135,000 settlement.

The skipper's wife, Sharon Rogers, said Friday that the school's trustees bowed to terrorism in refusing to let her continue teaching.

But officials at the La Jolla Country Day School said they had to put the safety of students and faculty first. They also said they still believed that Mrs. Rogers' presence posed a risk to others' safety that could not be ignored.

The settlement was announced at a news conference Friday, after weeks of negotiations over Mrs. Rogers' future at the school. The resignation is effective Aug. 31, when her contract expires. In addition to the \$135,000 for her, the school agreed to pay \$5,000 to Mrs. Rogers' lawyer.

#### ATTACK UNDER INVESTIGATION

Mrs. Rogers, who is 50 years old, escaped injury March 10 as a pipe bomb exploded

beneath her van. The attack is under investigation as possible retaliation for the Vincennes's downing of an Iranian airline over the Persian Gulf last July 3. All 290 people aboard the airliner died.

Mrs. Rogers's husband, Capt. Will C. Rogers 3d gave the order to fire on the jetliner. The Pentagon said the plane was misidentified by ship radar operators as an attacking Iranian warplane. Iran has vowed revenge.

Mrs. Rogers announced the settlement at a news conference, which was also attended by her husband and guarded by a dozen plainclothes security agents. It was the Rogerses' first public appearance since the bombing.

"Many people have asked me if I am angry at the way I have been treated by the school," Mrs. Rogers said. "I may say that over the past weeks I have felt many different emotions, but today I am simply just disappointed. More disappointed than I can possibly express."

#### VERY SAD FOR OUR COUNTRY

Asked if she believed that some school officials and parents had capitulated to terrorism, she replied: "I have a feeling some of them have. Yes, I feel very sad for our country."

But Bernie Fipp, president of the school's board, said: "The school believed, and continues to believe, that Sharon's presence on campus would pose an unreasonable risk to the children at school."

Many parents at the 700-pupil school had said they supported Mrs. Rogers's desire to remain as a teacher, but others threatened to remove their children from classes if she stayed.

Mrs. Rogers has taught at the school for nearly half of her 25-year teaching career and was paid about \$32,000 last year. She said she would try to find another teaching job, preferably in the public school system.

#### DEATH OF TYRONE DOMINGUEZ

Mr. DANFORTH. Mr. President, the Committee on Commerce, Science, and Transportation lost an outstanding employee this past month. On March 29, Tyrone Dominguez died, due to complications resulting from a kidney transplant 5 weeks earlier. His family and his many friends here in the Senate will miss him very much.

Tyrone was employed as an intern by the Senate Commerce Committee for over 7 years, serving on the Republican staff under three chairmen, Senator PACKWOOD, myself and, most recently, Senator HOLLINGS. During much of that time, Tyrone battled kidney disease. He had been on dialysis three times a week for the last 5 years. He suffered a number of debilitating setbacks as he waited for the opportunity to undergo kidney transplant surgery. Unfortunately, this surgery was unsuccessful. He was 22 years old when he died.

Tyrone's cheerful courage in the face of daunting obstacles was a daily inspiration. He insisted on the most optimistic outlook and remained determined to overcome the odds. The memory of Tyrone Dominguez always will be with us in the best of ways. As we meet the trials of human existence,

we can remind ourselves that we knew a young man who never flinched from life, but rather charged ahead and made every moment count.

Mr. President, I would like to take this opportunity to extend the condolences of the entire committee to his parents and family.

#### RECOGNITION OF DANA K. SARGENT, KENTUCKY SMALL BUSINESS PERSON OF THE YEAR

Mr. FORD. Mr. President, I rise today to pay tribute to Mr. Dana K. Sargent of Ashland, KY, who has been named "Kentucky Small Business Person of the Year" by the Small Business Administration. He and others from across the Nation are being honored in Washington as part of our observance of Small Business Week beginning May 7, 1989.

Mr. Sargent and two limited partners purchased Daniel's Home Bakery, Inc., when it had nine employees and a local trade based on traditional products. Over the past 19 years, he has turned this operation into a widely known business with 90 employees and sales of more than \$3 million a year. Under his direction, the bakery quickly outgrew an 800-square-foot building and currently is housed in a renovated 30,000-square-foot plant with additional warehouse space being planned. Having started with one station wagon, Mr. Sargent's operation now has two regular trucks, five tractors, and nine refrigerated trailers.

Dana Sargent's innovative approach qualifies him as a role model for small business operators. He has pioneered frozen dessert formulas and packaging techniques that now allow Daniel's Home Bakery to deliver products in perfect condition to consumers as far away as Texas and Vermont. He has introduced a series of fresh pie products for onsite assembly and sale from deli shelves. He has developed a machine to bag cake layers, has worked with packaging companies to develop a variety of bakery goods containers, has undertaken his own packaging operations and has begun to develop products for the gourmet market.

Mr. Sargent has demonstrated the true spirit of America's small business entrepreneurs in his ability to overcome adversity. When sugar prices soared in 1975, he reformulated his products to use less sugar and took other effective steps to contain costs. When a local economic slump threatened expansion plans, he broadened his marketing area, adjusted his plans to meet the requirements of the Ashland enterprise zone and began utilizing JTPA employment programs and other incentives to encourage business development in depressed areas.

As a civic and industry leader, Dana Sargent has promoted the enterprise

zone, established and taught vocational school food service classes and worked with high school cooperative programs. He provides refreshments for activities of a major senior citizens' residence in Ashland and takes part in many other constructive efforts on behalf of his community and the food industry.

The theme of this year's Small Business Week is that "Small Business is America's Future." Dana Sargent exemplifies the 19 million small business operators who give meaning to that phrase through their innovative efforts, perseverance, and hard work, day in and day out through this and every other year. For that reason, Mr. President, I rise to recognize and congratulate Dana Sargent and the other "State Small Business Persons of the Year" for their distinguished achievements.

#### JOHN HUME ADDRESSES THE FUTURE OF NORTHERN IRELAND

Mr. KENNEDY. Mr. President, I recently had the opportunity to read the remarkable and eloquent address by John Hume, leader of the Social Democratic and Labour Party in Northern Ireland, to his party's annual conference in Belfast last fall.

Mr. Hume is well known to many of us in Congress, and his frequent visits to this country and to Capitol Hill have helped educate us all about the true dimensions of the long-festering conflict in Northern Ireland and the most realistic means to reach a peaceful settlement of that conflict.

In addressing his party's conference, Mr. Hume restates the case against violence and repeats his call for all sides to come together to settle their differences around the conference table and create a new relationship for the future.

I believe that all of us in Congress who have worked with Mr. Hume—and many others who wish to know more about the complex situation in Northern Ireland—will welcome the opportunity to see his perceptive address, and I ask unanimous consent that it may be printed in the RECORD. I also ask consent that a profile on Mr. Hume which appeared in the Christian Science Monitor last week may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOHN HUME, 18TH ANNUAL CONFERENCE OF THE SOCIAL DEMOCRATIC AND LABOUR PARTY, BELFAST, NORTHERN IRELAND, NOVEMBER 25-27, 1988

In recent times we have been reminded of a lot of anniversaries. Remembering the past is something of an obsession in this country. The future, discussing it or shaping it, doesn't quite seem to popular. Decisions might have to be taken. Leadership might

have to be given. Our attitude to the future is paralysed by our obsession with the past. Indeed I have often thought that our over-indulgence in the past is a reflection of a much deeper weakness in our psyche as a people—our lack of self-confidence to stand on our own feet, in our own time, with the ideas of our time facing the problems of our time. How often do we hear figures of the past used to justify the actions of the present?

Of course, it is the voices of our extremes who continually invoke the past under the guise not only of being the true inheritors of that past but the only inheritors of it—the keepers of the holy grail—thus endowing themselves with a sanctity of purpose which justifies any words, any actions or any deed. No matter how provocative, no matter how horrific.

It does not seem to have occurred to them that if their heroes of the past had followed their example, they would hardly have figured in the history books. Instead they are significant historical figures specifically because they did not allow themselves to be paralysed by the past but were people of their time—realising that problems had to be faced in the context of their time. Put more candidly, there are not too many shopkeepers around today who would run a corner shop as it was run during one of the prominent periods of our history. Yet there are those in political life who want the problems of this country faced as if nothing had changed since 1690, nothing had changed since 1916.

One of the ironies is of course that these extremes are in many ways mirror images of one another. The lack of self confidence exhibited in the arrogance of their rhetoric and actions being only one of their common denominators. We see it in the demand, and the need, to hold all power in one's own hands, in the anxiety to have political structures made in the image of one tradition. It is evident in the rejection of tolerance and the need for domination. It is visible in the abandonment of peaceful processes for violent action and violent excess. It is proclaimed by attitudes that seek victory and not accommodation. It is trumpeted by those who are so sure of their Irishness that they need to remind us of it constantly. Their eyes mist over with self-righteous emotion as they wave national flags as their cherished possession. They don't seem to notice that the real level of their respect is measured by them painting their flag on kerbstones for everyone to trample upon.

The Unionist people have a long and strong tradition in Ireland. They have a rich Protestant heritage and a great pride in their tradition. They have pride in their service to the crown, pride in their contribution to the United States, pride in their spirit of industry and achievement, in their work ethic and in their faith. Their special mettle is believed by many of them to be expressed in victories in battles long ago, battles regularly commemorated.

Yet that pride is not expressed in self confidence. It is expressed in an archaic supremacism and in a desperate fear that they cannot survive in accommodation with other traditions. They must live apart. Living apart may have been tolerable, indeed it may have been very acceptable as long as their hold on power was underpinned by successive British Governments. That is no longer so.

The fundamental change that has taken place as a result of the Anglo-Irish Agreement is a change that is deeply and fully

understood by every Unionist. It is that their exclusive hold on power has gone and it is not coming back. Their veto on British policy which they have always had, and which goes to the heart of our problem here, has gone and is not coming back. Their loss is uncomfortable for their leaders, for while they held that privileged position, they never had to be politicians or exercise the art of politics, which is the art of representing one's own view while accommodating others with fairness.

For traditional Unionism in Northern Ireland, other points of view have never actually existed. To this day, as they trumpet about the proposals that they have placed before the British Government about the future of Northern Ireland—the future of us all—the insult doesn't seem to have occurred to them. Not only have they not presented these proposals to those of us who represent other views—views which must be accommodated if we are to have a future—they haven't even published them for the information of their own followers. They are still oligarchs. The faithful will line up when the drums beat. The other points of view, to which lip service is publicly paid, don't really count.

Their loss is painful and difficult for them, but it is very healthy indeed, not only for themselves but for the whole community. Mrs Thatcher has done for Unionists what John F. Kennedy and Lyndon Johnson did for the whites of Alabama in the 60's. She has done something that in their deepest hearts they knew needed to be done but couldn't ever do for themselves. She has stripped them of ascendancy and privilege and in so doing has done a service to us all—by placing us in a politically equal footing.

What Unionists should understand, however, is that the boot is not on the other foot. Our experience has taught us too much for that. In addition, contrary to the oft-expressed line of our political opponents, the Anglo-Irish Agreement has conferred no special benefits on the SDLP. Instead, it is addressing the problem, a problem which its authors recognise will be resolved only in time and by a steady building process. Coercion or conquest is not part of either our intent or our policy.

The challenge to all of us is the same and the challenge is one that has never really been faced up to in this island in all its aspects and implications. When groups of people who differ share a piece of earth, they sit down and sort out their relationships; they accommodate their difference to their mutual satisfaction. That is what happens in every stable and peaceful democracy in the world. When it doesn't happen, there is no stability, there is no peace. There is conflict.

We either take up that challenge now, sit down with representatives of the rest of this island, in the self-confidence that we can not only represent but achieve the protection of our various traditions, or we do not; and instead we pass on this outdated and costly quarrel to the next generation. If we do, it may well take us a long time. That should not hinder us. The willingness to search for accommodation, and to stay with the search in spite of difficulty, must be supreme. We have a lot to conquer. We have to overcome the legacy of the deepest mistrust, the sequence of hurts and injustices piled high upon one another of which each section of our people has its own valid tale to tell. But we should realise that those hurts, those injustices, indeed our whole present situation, are the symptoms and the

product of the attitudes that have built our present intolerable society and that have failed to address a simple yet fundamental question, how do we share this island piece of earth together, in a manner that gives supremacy to none? Should we address that question today, we will transform the atmosphere throughout this island and the good will towards us across the world, where our wandering people have left such a mark, will be overwhelming.

There are also those who are mirror images of traditional unionism. They too believe in "themselves alone" as the only answer to the problem of a deeply divided society, without the slightest reference, apart from the verbal ritual genuflections and lip service, to the existence of anyone else. Self-determination of the Irish people is their objective, they say. The Irish people are defined by them, if we judge by their actions and their contempt for their views and opinions of other Irish people, as themselves alone. They are more Irish than the rest of us, they believe. They are the pure master race of Irish. They are the keepers of the holy grail of the nation. That deep seated attitude, married to their method, has all the hallmarks of undiluted fascism. They have also the other hallmark of the fascist—the scapegoat—the Brits are to blame for everything, even their own atrocities! They know better than the rest of us. They know so much better that they take unto themselves the right, without consultation with anyone, to dispense death and destruction, by destroying Ireland's people, they destroy Ireland.

I had discussions with them recently. The talks were designed to explore whether they were willing to lay down their arms and join the rest of the people of this island in the lengthy and difficult search for peace based on real self-determination. I put some questions to them about the price of their means and method, about the consequence of victory for their viewpoint, about peaceful alternatives which already exist. They replied with sheaves of paper reiterating well-worn declarations about nationhood and the rights of the Irish people to self determination, while ignoring the single most self-evident fact that strikes very human being in the world as they look in at Ireland—the Irish people are divided on that very question, the question of how to exercise self-determination. Agreement on its exercise will never be brought about by force and violence but only by dialogue, and all the signs are that such dialogue will be neither easy nor brief.

For people who proclaim their Irishness and their pride in Ireland so loudly and so forcefully, they are remarkably lacking in either the self-confidence or moral guts to sit round and talk with their fellow Irishmen and persuade them that their vision of Ireland is a better one. Their decision in particular to use guns and bombs to "persuade" their Protestant fellow Irishmen is not only an extreme example of lack of faith in their own beliefs or in the credibility of them, it is an attitude of extreme moral cowardice and a deeply partitionist attitude. For its real effect is to deepen the essential divisions among the Irish people.

And it isn't just the Unionist people who are their victims. Leaders of Sinn Féin have been saying recently that the Nationalist nightmare has not ended. They are dead right because they and their military wing are the major part of that nightmare. There is not a single injustice in Northern Ireland today that justifies the taking of a single

human life. What is more, the vast majority of the major injustices suffered not only by the nationalist community but by the whole community are the direct consequences of the IRA campaign. If I were to lead a civil rights campaign in Northern Ireland today, the major target of that campaign would be the IRA. It is they who carry out the greatest infringements of human and civil rights, whether it is their murders, their executions without trial, their kneecappings and punishment shootings, their bombings of jobs and people. The most fundamental human right is the right to life. Who in Northern Ireland takes the most human lives, in a situation where there is not one single injustice that justifies the taking of human life?

Let the record speak. Up till last Saturday 2,705 people have died in the twenty-year period of the current troubles. 31% of these were members of the security forces. 14% were members of paramilitary organisations. 55% were ordinary civilian men and women from both sections of our community, 69% of whom were from the Catholic community and 31% from the Protestant community. And who killed all those people?

The statistics are devastating. 44% were killed by the Provisional IRA and 18% by their fellow travelling "republican" paramilitaries. 27% were killed by Loyalists, 10% were killed by the British Army. 2% were killed by the RUC and 0.28% by the UDR. In short, people describing themselves as Irish republicans have killed 6 times as many human beings as the British army, 30 times as many as the RUC and 250 times as many as the UDR.

And wait! One of their main claims is that they are the defenders of the Catholic community. Of the 1,194 members of the Catholic community who died, 46% were killed by Loyalist paramilitaries, 37% by people describing themselves as republicans and 17% by the security forces. And in the last ten years since 1 January 1978, of the 305 members of the Catholic community who have lost their lives, 112 (37%) have been killed by people describing themselves as republicans, 105 (34%) by loyalists and 88 (29%) by the security forces.

In the last 20 years, republicans have killed more than twice as many Catholics as the security forces and in the last ten years have killed more than the Loyalists! Some defenders. And I haven't even mentioned their "mistakes". Was it O'Casey who said "The gunmen are not dying for the people, the people are dying for the gunmen?"

In addition, all the major grievances today within the nationalist community are direct consequences of the IRA campaign and if that campaign were to cease so would those grievances. The presence of troops on our streets, harassment and searching of young people, widespread house searches, prisons full of young people, lengthening dole queues leading to the emigration of many of our young people, check points, emergency legislation. . . .

Even Joe Soap has the intelligence to know that if the IRA campaign were to cease, then the troops would be very soon off our streets. If they were, they would neither be harassing young people nor searching houses. Check points would disappear, emergency legislation would be unnecessary. We could begin a major movement to empty our prisons, particularly of all those young people who were sucked into the terrible sectarian conflicts of the '70's. And of course we could begin the serious job of attracting inward investment aided by the enormous good will that peace would bring.

The price of their method and its costs to their own people was one of the three basic questions that I put to Sinn Fein. They did not reply except to blame the Brits. The British presence is responsible for everything. An amazing statement which absolves them from all responsibility for their own actions. Why not therefore plant a nuclear bomb and blow the whole place to bits and blame it on the Brits. That is their logic.

The strange irony of course is, as they deliberately refuse to recognise, the British position on Northern Ireland has shifted. As I have said before, if the British and Argentine Governments were to announce tomorrow that they had signed an internationally binding agreement, setting up a permanent Anglo-Argentine Conference with a permanent secretariat in Port Stanley to deal with the problem of the Falklands/Malvinas, would the whole world not regard it as a significant shift? That is what has happened here. The whole world recognised that. The Unionists recognised that. In practice this shift has meant the removal of Unionist veto on British policy, the removal of their exclusive hold on power. Ah but, say the Provos, the British are here defending their economic and strategic interests and are keeping the people of Ireland apart in order to do so. Hence our armed struggle is justified.

The British have no economic interest in Northern Ireland any more. It costs them 1½ billion pounds per year. British business can now locate anywhere in the European Community without having to rule the particular territory. In a nuclear age, what possible strategic or military advantage is there for Britain to have bases in Ireland? They had been closing them down steadily until the troubles began.

Politically, in spite of the views of individual members of their party or their Government, the official Government position, internationally binding on them, is that if the Irish people want unity and independence, then if those who want it persuade, not all, but some of those who don't, thus creating a majority in Northern Ireland, then they can have it. What sort of Irishman or republican is it who will not take up that challenge, but instead believes that guns and bombs and deaths of Irish people are necessary instruments of persuasion? I'll tell you what sort of Irishman he is, he is not a republican at all, he is a moral coward because he refuses to face the long hard slog of breaking down the barriers between the Irish people.

What sort of Irish republican is it who can ignore the fact that the methods he is using are bringing more suffering on his own people? Would any genuine Irish republican, given the starkness of the statistics I have outlined, not reconsider his whole approach and his means and method in particular? The truth is of course that their method has become more sacred than their cause. In their minds it is blood that is the essential qualification for a patriot, not sweat. Concepts are more important than people. Pieces of earth are more important than people.

The glib tongue of Danny Morrison told us about the armalite and the ballot box. The same glib tongue also let slip that their objective was not Irish freedom but "power in Ireland" with the different instruments in each hand. Earlier, in the '70's, the same tongues told the people to burn their ballot papers because those who stood for election to councils created by the British were collaborators. We don't hear that now. The

same glib tongue told us that 1975 was the year of victory. Now 13 years and a lot of graves later, we are told that in the 20th year of the troops on our streets, the British will be weakening. The victims of all of that, including the young people who emotionally believe them, aided and abetted by the desperate sectarianism of the '70's, have paid with their lives or their liberty. Many of them now fill our jails.

My challenge to any of those people in Ireland, North and South, today who regard themselves as republicans is to accept the straightforward offer made to them in our talks. Lay down your arms once and for all. Join the rest of the people of Ireland in the search for ways and means of breaking down the barriers with our Protestant fellow citizens, in persuading them to join us in building a new Ireland that reflects our diversity and respects all our traditions, and in persuading the British government to commit all its resources to the same end. If they were to do so, then the atmosphere in this whole island and in the North in particular would be transformed and the nightmare of all our people would be truly at an end.

Meanwhile the Anglo-Irish Agreement remains the target of both Unionist and Provo. I never cease to be amazed when I read some of the critics, some of whom should know better. I find that they don't seem to have much understanding of what the Agreement actually is or else they simply haven't read it. The Treaty of Rome set up the European Council of Ministers to deal with the questions referred to it under the Treaty. It set up a secretariat called a Commission drawn from all countries represented in the Council to service the Council. The Council meets regularly. It has regular and open disagreements. Ministers sometimes even walk out. But nobody says that the Treaty of Rome should be scrapped or is a failure. Difficulties or failure to reach agreement is usually the responsibility of one or other of the Governments, not of the Treaty itself. Yet in spite of numerous difficulties, they plod steadily on towards their goals and now over 40 years after the Second World War who would have dreamt when the Treaty was signed that such progress could have been made?

The Anglo-Irish Conference and secretariat are modelled on the Council of Ministers and Commission. We have witnessed the same sort of hiccups, and the same slow progress. But, as with Europe, the faults lie not with the Agreement or its intentions but with one or other of the Governments who operate it. We should also remember that one of its strengths is that Governments change and some will be more active than others, yet each can make its own distinctive contributions to the building process.

These are not views that are borne of three years experience of the Agreement in operation. These are views in keeping with the strategy that this party has followed and is following for a considerable period of time. At this conference three years ago, six days before the Agreement was signed, I told this Conference and had repeated it often since that we supported the British-Irish talks then taking place because the British-Irish framework is the framework of the problem embracing all the relationships involved. I made it clear in that speech that we did not "expect a final settlement or an immediate solution" from those talks and that our yardstick for measuring their outcome would simply be whether the propos-

als in any agreement that might emerge would help us to make progress. Contrary to suggestions that we hyped the Agreement, I specifically cautioned then:

"... as we learn from the experience of Sunningdale, even if there is an agreement, agreements of themselves don't make progress. There will be the question of its implementation. So no matter what the way ahead, agreement or no agreement, the SDLP will still face major challenges and major risks. There is no road towards peace and stability that does not contain risks. The challenge is not easy but the choice is. There is no other way."

And there is no other better peaceful way than the two Governments with all their resources working as closely as possible together. When the agreement was signed we issued the following statement:

"We are not under any illusions about the difficulties that will face us and will face both Governments. We do not believe that a final settlement of the Irish problem has been reached. We do believe that an opportunity has been created by the agreement in the setting up of a permanent Anglo-Irish institution to make progress towards our goals of peace and reconciliation. A great deal will depend on the implementation of the Agreement and on the policies, particularly in the field of justice, that emerge from the new joint institution. The SDLP will monitor that implementation very carefully. In the meantime we will give the new institution our full co-operation and ask everyone else to do likewise. It is an opportunity that can be developed if it is taken up with good will on all sides."

In both these statements it is abundantly clear that we foresaw, saw and see the Agreement through its instrument, the Conference, as a means for dealing with the problem on a regular basis and not as a solution. We also foresaw that the major area of difficulty would be the administration of justice. The past year has underlined that, in a very significant way, with a series of events that demonstrate starkly the deep gulf that exists on this question—The Stalker-Sampson Affair, Private Thaint, The McAnespie killing, Gibraltar and its consequences in Milltown and the Andersonstown Road, the so-called broadcasting ban, the restrictions in the right to silence, the Craigavon inquests. All of these events tend to increase tension in the community, particularly when accompanied by the terrible IRA atrocities of the past 12 months.

The main burden for dealing with these issues against the background of those tensions has fallen on the shoulders of our party's spokesman of Justice and Deputy Leader Seamus Mallon. In spite of the breadth of those shoulders it has been no mean burden. To go up front for this party on any one of those issues is difficult enough, but on that whole dreadful series of events it is something else. They are controversial issues, they are emotive issues and in the present atmosphere of this society can be very divisive issues. When Seamus spoke on each and every one of those issues, let there be no doubt that he spoke for his entire party and he spoke with the strength and consistency that this party has always brought to issues of justice and order.

It has always been our view that the bedrock of peace and order, the bedrock of justice in every society, is consensus among the population on how it is governed. When that consensus exists, then justice and order follow naturally—they are our police and our courts. However, when a society is divid-

ed, as ours is, on the fundamental question of how we are governed, then questions of policing and courts become very divisive issues indeed.

The best that any political party can do in those circumstances, and it is the best, is what this party through its spokesmen has consistently done. That is to offer full and unqualified support to the police force in seeking out anyone who commits a crime. All we ask is that it be done impartially within the rule of law. Given our experience, that is hardly an unreasonable qualification.

The only final answer to those problems is therefore democratic consensus and agreement on how we live together and govern ourselves leading to total unity behind the institutions of the agreed order.

We have welcomed the many advances that the agreement has made in dealing with the symptoms of our deep-seated problem and we have listed them many times. We have also criticised not only the failures to advance but steps in the wrong direction such as the presently emerging package of so-called tough action. But through all this we keep our eyes firmly fixed on the main purpose of the agreement, which is to provide the means for dealing with the underlying deep-seated problem or disease which gives rise to all these symptoms.

It is in this area, the area of creating movement in the underlying problem, that we believe the Agreement has its greatest significance and has created real opportunities for everyone who wants a real solution. It has removed the unjust Unionist veto on British policy, it has removed their exclusive hold on power, and this time the British Government, unlike many of its predecessors, has not succumbed to blackmail.

In so standing firm, it is cutting through the vicious circle that has paralysed all political development in this country. In the past, as in 1974, when British Governments backed down before the threats, they confirmed the leadership of Unionism in the hands of the no-surrender, no-compromise brigade and reinforced the basic appeal of the IRA that the only thing the British understand is force.

This time that is not happening, and there is a new and fluid political scenario that opens up major opportunities for those who want solutions. I keep saying "Those who want solutions" because we still have too many who simply want victory for their point of view. When will they learn that they are not the people? Like ourselves they represent only a section of the people and all sections have to be involved and accommodated in any solutions.

The next stage for those interested in answers is obvious. It has to be dialogue and discussion which address the problem of our unsettled relationships. It may take time to bring it about, but since it is the essential next step, we must keep our eyes firmly fixed on it and use all resources to bring it about. Let us also keep repeating that the objective of such dialogue is not either coercion or conquest, it is simply agreement on how we share this island piece of earth.

Let us therefore call once again for a conference table. Let the main subject of discussion at that conference table be clear—how we share this island to our mutual satisfaction. Let us also agree in advance that agreement reached on this fundamental question would be an agreement that would transcend in importance any previous agreement ever made, because it would address and settle a relationship that has never

been addressed and that goes right to the heart of our quarrel—the relationship between the Unionist people and the rest of the people of this island. And before we approach the conference table or agree to its agenda, let us meet to talk about the mechanisms whereby any such agreement is endorsed by the people, both North and South, so that there will be absolute reassurance before we begin that sell-outs are impossible and that all traditions will have to be respected.

Does anyone doubt that such a conference table, even though it might be in existence for a very long time, would transform the atmosphere throughout this island and release enormous energy and goodwill which would in itself make possible things which now seem impossible? And would not an agreement endorsed by the people of the North and the people of the South be a true expression of self determination that would bring us lasting peace?

The door to such a table should be open to every party with an elected mandate. In practice that means that every party sits down on the same terms, bringing nothing to the table but their own beliefs and powers of persuasion. There should be no place at this table for any party if it is either using force or reserving the right to use force if they do not get their way.

While we engage in all of this, 1992 looms. The completion of the Single Market with freedom of movement for people, goods and services, leading to the abolition of all commercial frontiers and the creation of a commercial United States of Europe with a market of 320 million people will have a much greater impact on the daily lives of the people of this island, North and South, than any of the other matters that we spend most of our time discussing in this society. Yet this party is one of the very few bodies to take it seriously and to take the necessary steps to make all our people aware of its implications and of the need to prepare. But I don't intend to dwell on it at any great length today since we have devoted special conferences and special publications to it. I wish simply to draw lessons from it about our own basic problems.

Forty-three years ago, the Second World War ended. Europe was devastated, its major cities in chaos, millions of its citizens lay dead. The bitterness between ancient foes, particularly France and Germany, was deeper than ever. Looking across that bleak landscape, if someone had stood forth and forecast the Europe of the 1980's, he would have been described at worst as a fool and at best as a dreamer. Yet it happened because leaders stepped forth and had the vision and the faith to suggest new ways. They recognised that the peoples of Western Europe, with their deep differences and distinctiveness and with their fear for their survival alongside competing cultures and peoples, had chosen the wrong path to preserve and protect their differences. They had pursued confrontation, which, led them into many bloody conflicts with those whom they distrusted. The results had been devastating for Europe as a whole.

After 1945, led by men of vision, they tried a new way. They sat down with former foes to hammer out agreed institutions which settled relationships and preserved differences. No one would have believed in 1945 that by 1992 they would be moving towards a United States of Europe, and yet the Germans are still German and the French are still French. One thing is certain. They would never have achieved it had they con-

tinued to dwell on the past and call up the ghosts of the past. That approach would have led, as it always did and as it does here, to conflict in every generation. Can we here not learn the same lesson? Can we not sit down with former foes, with those whom we distrust, and hammer out institutions which will settle our relationships and preserve our differences?

Is it too much to ask that we invest in the future for a change? For we haven't finished with our anniversaries. Very substantial ghosts of the past loom in the 300th anniversaries of 1689 and 1690—the Siege of Derry and the Battle of the Boyne. In addition to our own local quarrel, those dates were symbolic of a wider and deeper European quarrel. That quarrel has long been laid to rest in Europe. So have subsequent and more bitter ones.

The question we face is, will these anniversaries reinforce our spirit of confrontation or will we truly commemorate them as quarrels of the past by finally laying to rest our ancient quarrel?

This party is ready to play its part in that process, however long drawnout. Let us all have the self confidence and real belief in our own traditions to sit down and begin that process.

[From the Christian Science Monitor, Apr. 27, 1989]

IRELAND'S "STATESMAN OF THE TROUBLES"—  
JOHN HUME REDEFINES NORTHERN CONFLICT AND SETS FORTH POSSIBLE SOLUTIONS  
(By T. Patrick Hill)

John Hume has an unshaken belief in the power of reasonableness.

To him, the resolution of conflict in Northern Ireland will come only by the acceptance of religious diversity—and trustful negotiations over how to "share the island."

As a founder of the Social Democratic and Labour Party, Mr. Hume projects a distinct moral vision unusual in a country torn by sectarian prejudice. Yet his view is one that has earned him grudging recognition from unionists, who favor the continued constitutional link with Britain, as well as respect from nationalists, who want some form of Irish unity.

Hume recalls that the United States Constitution was fashioned in good measure by Irish Presbyterians. They had been driven out of Ireland by religious bigotry and did not want that to happen again. So they helped draft a Constitution, the essence of which is the acceptance of diversity. "And that's my basic philosophy," Hume insisted. "The essence of unity is the acceptance of diversity," he said in a recent interview in London.

It is also the fundamental insight tragically missing in Northern Ireland, Hume believes, and one that cannot be given by outsiders, including the British. The Irish must learn it for themselves, he said.

The difference between Hume and other political leaders in the North is most evident in their definitions of the central problem. Ken Maginnis, a unionist member of Parliament, believes the overriding issue is violence, which needs to be addressed by military measures and selective internment. But Hume, appalled as he is by the North's incessant bloodshed, sees the violence as a symptom of a deeper friction.

"It's a problem of a conflict of relationships which hasn't been resolved," he explained, referring to relations between Roman Catholics and Protestants in Northern Ireland, and relations between Britain and Ireland. "But the central relationship is

between Protestants and the rest of Ireland, because that's the one that has never been faced up to."

Hume prefers to speak of his political roots as his personal roots. He was born in Derry in 1937. The oldest of seven children, he cannot forget that his father, a Catholic, was unemployed for 20 years and had to struggle even to provide a two-bedroom house. At that time, Derry was a gerrymandered town where, despite a Catholic majority, unionists (Protestants) controlled jobs and housing.

But by his own reckoning, Hume was fortunate. The year he turned 11 was the first year of a state-mandated IQ test. Any child that passed this examination was entitled to free education in preparation for university entrance. It was the break Hume needed to avoid repeating his father's experience.

"I was able to pass that exam, and went on from there right through university," he said. This led to his major role in shaping the history of modern Ireland as a member of the British Parliament at Westminster and the European Parliament in Strasbourg—and to becoming what Barry White, Hume's biographer, calls a "statesman of the Troubles."

After university, Hume returned to Derry in 1960. Conditions had not changed, but attitudes had. Self-help was the order of the day, and he accepted it eagerly. With four others and £5, Hume founded a credit union among the people of the Bogside, a Catholic ghetto, "and that wiped out the loan sharks."

Today the union has 12,000 members with £5 million (\$8.5 million) in assets. Hume also helped to establish a housing association to build homes for Catholics. But when local government denied permission, "We took to the streets in a civil rights movement." From there, it was just a matter of time before he became deeply involved in politics.

Hume advocates talks between unionists and the Dublin government and has outlined for unionists a new and far-reaching proposal: "Go and sort yourselves out with Dublin to your own satisfaction," he said, emphatically rejecting the inference that this would result in a Dublin takeover.

"Let the agenda be—this is very carefully phrased—how we share the island." To succeed, Hume believes it is imperative that unionists, before they begin talks, get an agreement from Dublin that any resolution has to be endorsed by majorities in both the north and south of Ireland.

"That gives absolute security to the unionist people that nobody is going to try and walk over them. But it also means that, for the first time ever, the people of Ireland as a whole will endorse how Ireland is shared and run. And that removes all justification of violence," he said.

Hume's willingness to include all citizens prompted him, despite considerable political risk, to hold controversial talks last year with the leadership of Sinn Féin, the political wing of the illegal Irish Republican Army (IRA). Hume hoped to persuade Sinn Féin to renounce violence and take up the peaceful search for a new Ireland by addressing them on three specific fronts.

The first is the price of violence. As of last November, 2,705 people had died in Northern Ireland since 1969. Of those, 62 percent were killed by the Provisional IRA and associated paramilitary groups. The IRA has killed more than twice as many Catholics—the very people they claim to defend—as the British security forces have. "Some defenders" Hume concluded.

The second front is the IRA policy of driving Britain from Northern Ireland. Is there any certainty that would result in a united, independent Ireland?

Hume is convinced that if the British leave before there is agreement between the two communities in the North, conditions not unlike those in Lebanon will occur and the gun will become the source of negotiation.

The third is the IRA's justification for the use of force. Its argument has been that the British are in the North defending their own interests by force. But Hume believes that the 1985 Anglo-Irish Agreement has signaled a significant shift in British policy.

"They have declared their neutrality," he argued, "on the central issue that divides the people of Northern Ireland—union or [Irish] unity." That means that it is a matter of one side—those who want it—persuading those who do not, that unity is in everyone's best interest. "You can't do that by force," Hume said.

The real challenge, he believes, is to break down barriers between Catholic and Protestant citizens, persuade unionists to join nationalists in building a new Ireland, and urge the British to adopt this as their policy.

But whether it is union or unity, only a new Ireland, Hume believes, will be able to meet the challenges of the Europe of 1992.

"The completion of the single market with freedom of movement for people, goods, and services... will have a much greater impact on the daily lives of the people of this island, North and South, than any of the other matters that we spend most of our time discussing," he said.

In Northern Ireland, it is unusual for political leaders to look forward in this way. Hume's ability to do so has been widely recognized in Europe and the U.S. Small wonder that Kevin McNamara, shadow secretary of state for Northern Ireland, says that John Hume "stands head and shoulders above anyone else in Northern Ireland, and, I believe, in the island of Ireland."

#### TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, today marks the 1,507th day of captivity for Terry Anderson in Beirut.

On March 13, 1988, the Buffalo News printed an article noting the help the Associated Press has given to Anderson's sister, Peggy Say. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the following article was ordered to be printed in the RECORD, as follows:

[From the Buffalo News, March 1988]

#### AP HELPS SISTER'S CRUSADE

(By Mike Vogel)

Mrs. Say has had a valuable ally in her three-year crusade, the Associated Press. Terry Anderson's employer has paid for her travel, postage and telephone calls.

"She's just an incredible person," said AP spokesman Kelly Smith Tunney, adding that Anderson's plight is "a topic of just about daily conversation here."

"The AP is pretty much a family, and everybody knew Terry or worked with him," she said.

AP President and General Manager Louis D. Boccardi, in a statement this anniversary,

called Anderson the "victim of a war he sought only to cover."

"We are deeply concerned over his continued imprisonment, and grieve with his family that he has to endure separation from friends and loved ones," he said.

"The AP has pleaded his case both officially and unofficially in many parts of the world, and we will continue to do so until his safety is assured," he added.

The three years since the abduction have been years of trial for the Batavia housewife. Afraid of flying, she nevertheless logged more than 100 flights during a high-profile effort in 1986—traveling to Athens to meet Margaret Papandreou, wife of Greek Premier Andreas Papandreou; talking to Nobel Peace Prize laureate Mother Teresa in an airport in Greece; journeying to Cyprus and on to Damascus to meet Issam Hayyani, chief of the U.S. department in the Syrian Foreign Ministry; talking to Bassam Abou-Sherif of the Popular Front for the Liberation of Palestine in efforts to win her brother's freedom.

Her father, Glenn Anderson, died in February 1986, and her brother, Glenn Jr., also known as Rich, died in June, both from cancer. She still works under the assumption that Terry—whose immediate family, including a 2-year-old daughter born while he was in captivity and remains in Cyprus—doesn't know his father and brother are dead.

For 1987, Mrs. Say decided to keep a low profile and heed State Department advice that quiet diplomacy works best. That failed—and 1988 has brought a return to a public campaign to win recognition of the hostages' plight and deliver what she terms "a reminder to the world that no American will stand by in silence while the human rights of any American are violated."

She has publicly decried the "double standard" that led her government to negotiate to free Americans held hostage in the hijacking of a TWA jetliner and the cruise ship *Achille Lauro*, and to win the release of journalist Nicholas Daniloff, who was arrested by the Soviets.

When the State Department continued to tell her "that their policy was absolute non-negotiations for Terry and the others," she said, "I reminded them that they had told me that before TWA and I watched and I watched those negotiations. And then they got back to me and said, now we're back to our old policy, no negotiations."

"I watched *Achille Lauro* and I watched Nick Daniloff, and I said to them a couple of months ago, 'I do not intend to stand by again and watch you break that public policy when it is politically expedient for you to do so, I will not stand by and watch somebody else come out while my brother stays behind.'"

Relations with the State Department were further strained when accusations of arms-for-hostages trading with Iran were raised last year. Reports also surfaced that President Reagan's sympathy for the hostage families, and the cause most vocally expressed by Peggy Say, may have been a factor in pursuing the trade possibilities.

#### CONTRA SCANDAL HURT CAUSE

The families, who had dealt closely with Lt. Col. Oliver North and other Reagan administration officials embroiled in the Iran-contra scandal, suddenly found themselves held at arm's length.

"We never got much information from the State Department, but now we get next to nothing," said Mrs. Say, who maintains contact with a State Department liaison officer

nonetheless and is still a frequent Washington visitor.

In Washington, State Department spokesmen said no new information about Anderson has been received. A counterterrorism bureau worker noted that Secretary of State George Shultz recently reaffirmed the department's "no deals" policy, expressing sympathy to the families but arguing that ransoms, trades or prisoner exchanges would "simply encourage more terrorism."

She enters the third year of her brother's captivity and her campaign with "a determination to keep the issue alive, and continue to pursue what avenues are open to us," Mrs. Say vowed. "And to continue to believe that Terry will be home some day."

That day could be hastened by U.S. action, former hostage Jacobsen argued.

The secrecy and isolation imposed on Anderson and the other hostages stems from their captors' fears that they will be identified and captured by either the CIA or the anti-terrorist "Delta Force," he said.

People in Lebanon know where they are," said Jacobsen, who believes a reward program like those offered in several other cases could help. "It's inconceivable to me that very many people in Beirut don't know where they are. At one time, Terry and I calculated that at least 200 people had to know, considering the changing guards and their families and what we could hear of comings and goings."

"I don't think he's ever been out of the southern suburbs of West Beirut, rumors to the contrary, I think a reward system would bring out a lot of information."

Jacobsen also thinks the government should pick up on another hint—Terry Anderson's own claim, in a videotape released this Christmas Eve, that an improvement in the hostages' condition would follow any improvement in the lot of terrorist prisoners held in Kuwait, whose release has been demanded as a condition of Anderson's freedom.

Explaining that a human rights organization easily could videotape the Kuwaiti prisoners and release the tape to Beirut television, Jacobsen added that "Terry came across very strongly on that point, and yet nothing has been done."

"I just can't understand why the bureaucrats haven't taken advantage of this window of opportunity."

The U.S. government did act quickly when an American Army officer, Lt. Col. William Higgins, was kidnapped Feb. 17 while serving as the commander of a United Nations observer team on the Lebanese border. While roadblocks and searches have so far proved fruitless, Mrs. Say still hopes the intense effort for Higgins will uncover information about her brother as well.

"Any time we've had hope, it's been attached to something else," she said.

Mrs. Say also has pressed the State Department to find out from other governments what steps were taken to win the recent releases of German, Norwegian, Swiss and British captives, "but they never seem to have much information on it."

Meanwhile, she continues to work on her campaign for public involvement in the cause. During the past few days she has tried too to sandwich in at least a dinner to mark her 10th wedding anniversary and her husband's birthday, despite a schedule that included a speaking engagement in Albany with Father Jenco and last-minute work on the Washington rally.

"It's getting so intense, the last week or so—the telephone is just totally out of con-

trol, and by the end of the day you're just ready to pull your hair out and say 'I've got to get away from this,'" she sighed.

"But at the same time, there's real encouragement. I think there's been a real changing of attitudes. I think the three years has really shocked people into taking a good look at this."

She has asked both Father Jenco and Jacobsen to come to Batavia soon "to give people a better idea of what it's like over there," and remains grateful for Jacobsen's efforts to persuade thousands of Americans to send Valentines to Anderson last month. She has no homecoming plans, for Terry.

"There was a time I did," she sighs, "but since Dad and Rich died, that puts a whole different slant on it. As far as we're aware, Terry doesn't know about that—now what would have been just total celebration will have to include telling him these things."

Jacobsen hopes that, at the very least, American concerns and "a little more creativity in trying to resolve this issue" by government officials could at least improve the hostages' lot in captivity—winning, perhaps, the simple chance to exchange letters with their families.

Meanwhile, the struggle continues. Americans sent between 10,000 and 20,000 Valentines to the hostages last month, and there's hope the men at least learned of the effort.

If they did, he added, "that gave them hope—and hope is the nourishment of survival."

#### COMMEMORATION OF THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Mr. MITCHELL. Mr. President, the following request has been cleared with the distinguished Republican leader. I ask unanimous consent that the Senate proceed to the immediate consideration of House Concurrent Resolution 50, which provides for the use of the rotunda of the Capitol for the Holocaust remembrance activities of Tuesday, May 2, from 8 a.m. until 3 p.m.

The PRESIDENT pro tempore. The clerk will read the title of the concurrent resolution.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 50) permitting the use of the rotunda of the Capitol for a ceremony to commemorate the days of remembrance of victims of the Holocaust.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 50) was considered and agreed to. The preamble was agreed to.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

#### RECESS

Mr. GORE. Mr. President, I ask unanimous consent that the Senate stand in recess at this point until the hour of 2 p.m.

There being no objection, the Senate, at 1:30 p.m., recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. WIRTH].

#### FUNDING FOR MARTIN LUTHER KING, JR., FEDERAL HOLIDAY COMMISSION

The PRESIDING OFFICER. Under the previous order, the Senate will now consider S. 431. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 431) to authorize funding for the Martin Luther King, Jr., Federal Holiday Commission.

The Senate proceeded to consider the bill.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NUNN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NUNN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is consideration of S. 431.

Mr. NUNN. Mr. President, today we consider legislation to continue the initiative we took in 1983 when Congress authorized a Federal holiday to recognize the life, the work, and the legacy of Dr. Martin Luther King, Jr.

During consideration of the original Martin Luther King holiday legislation, some Senators expressed concern that for all the noble rhetoric about Dr. King's legacy, all we were doing, in fact, was to create another 3-day weekend for Federal employees.

Congress addressed that concern clearly, nearly 2 years prior to the first King holiday celebration, by creating the Martin Luther King Federal Holiday Commission.

In the 1984 legislation creating the Commission, and in the 3-year exten-

sion we enacted in 1986, the Commission was given two specific congressional mandates: No. 1, to encourage appropriate ceremonies and activities throughout the United States relating to the observation of the Federal holiday honoring Martin Luther King, Jr. And, No. 2, to provide advice and assistance to Federal, State, and local governments and to private organizations with respect to the observation of such a holiday.

In other words, we gave the Commission a dual mission: To make the Martin Luther King holiday a truly national event and, then, to act as a coordinator and clearinghouse on appropriate activities once the holiday did become widely recognized.

The Commission has performed its first task exceptionally well. When it first opened its doors in 1985, only 17 States recognized the Martin Luther King holiday. Forty-four States recognized the 4th annual holiday on January 16, 1989, and now a 45th State, South Dakota, has signed on. In addition, all U.S. territories recognized the holiday, and in an unexpected development, 140 nations around the globe make some gesture of recognition on the King Federal holiday.

The life of the Commission needs to be extended because its success in fulfilling its first legislative mandate has tremendously increased its responsibilities under the second: That of providing advice and assistance to the literally thousands of public and private organizations that want to participate in the Martin Luther King holiday activities which, by necessity, means helping to coordinate these activities with information on a national basis.

A few examples: Between the 1988 and 1989 Martin Luther King holidays, the Commission staff responded to an estimated 6,000 direct inquiries about holiday activities, 1,000 of them in the form of personal visits to the Washington and Atlanta offices of the Commission; distributed at least 225,000 pieces of printed material related to the 1989 Martin Luther King holiday; provided at least some technical assistance to public and private organizations in all 50 States and every U.S. territory.

The Commission itself sponsored, among other events, its annual planning conference, the centerpiece of its efforts, to make sure the thousands of separate holiday activities around the country are consistent with the congressionally established purpose of the holiday and are coordinated around a general theme.

It sponsored a conference on how Martin Luther King holiday can be reflected in public school materials, which followed up a highly successful 1986 conference hosted by then Education Secretary William Bennett; a national youth assembly that focused on how Dr. King's legacy can help pro-

mote self-reliance, community service, and active youth involvement in the fight against drug abuse and violent crime.

Those are just a few examples of what the Commission did between the 1988 and 1989 holidays to help make each more than just a 3-day weekend for Federal employees.

Mr. President, it seems to me that if we meant what we said in 1983 about making the Martin Luther King Federal holiday a meaningful event; and if we mean what we said in 1984 in creating this Commission and giving it these two interrelated responsibilities, then extending the Commission for another 5 years is a sensible course of action. Aside from extending the Commission's authorization for another 5 years to continue its unfinished work, S. 431 would provide the Commission with an annual appropriation of \$300,000 to fulfill the responsibilities we have placed on it.

There is ample precedent for making a small appropriation to support the work of Federal commissions created for commemorative purposes. For example, in 1984 the Congress created a Christopher Columbus Quincentenary Jubilee Commission and authorized the appropriation of \$220,000 annually to support its work until 1992.

Back in 1955, Congress established and funded a Commission to formulate plans for a memorial to Franklin D. Roosevelt, and as we know, Congress continues to make a small appropriation for that purpose today.

To cite just one more example, in 1983 we created and funded a Commission on the Bicentennial of the U.S. Constitution. That was legislation originally introduced in 1980 and in 1981 by my distinguished colleague from North Carolina, Senator HELMS. Over a 3-year period leading up to the Constitution bicentennial celebration, we appropriated more than \$46 million for that Commission, and it has now been extended through 1991 to help commemorate the bicentennial of the Bill of Rights. I might add, I approve very heartedly of both those Commissions.

Actually, the really unusual thing about the Martin Luther King Federal Holiday Commission is that it has managed to operate under a Federal mandate for 4 years without a direct Federal appropriation. The Commission is required by law to conduct the enormous job of coordination and responding to requests for information I have outlined. It is authorized by Congress to hire a staff. It is authorized to follow the universal custom of offering Commission members, who serve without compensation, reasonable reimbursement for travel expenses—though, in fact, most Commissioners have simply paid for that from their own pockets.

Though no direct appropriations were made for the Commission in the original legislation or the 1986 extension, Congress did authorize some Federal expenditures by authorizing other Federal agencies to lend staff to the Commission on detail, and that is how the Commission has managed to conduct its work in such an effective fashion. In other words, there has been no direct appropriation and there has been in kind help from staff from other Federal agencies.

I see no reason why we should punish the Commission now for its willingness to do without an appropriation in the past. S. 431 would let the Commission hire at least a small permanent staff, reimburse Commission members for authorized travel, and spend less time trying to raise money privately. It is a Federal Commission, conducting important Federal business, and I think that we should offset the cost of the Commission.

The message spread by this Commission in all its activities is Dr. King's legacy of nonviolence, self-reliance, respect for human dignity, and peaceful reconciliation of disputes. I think that message is worth \$300,000 a year. In fact, far more. The question some would ask is: Do we need it in this country today?

It should be noted that the State of New York authorized \$783,344 for its State-level Martin Luther King holiday commission in the current fiscal year, and another \$771,292 for the next fiscal year. That is more than 2½ times in New York what we are asking for here for the whole of the country.

But even if we had no benchmark to go by, this is a very small authorization for a very important purpose.

We spend billions upon billions of tax dollars each year combating the causes and effects of violence and discrimination.

One example of particular relevance to Dr. King's legacy: The continued occurrence of "hate crimes," acts of violence against individuals and institutions motivated by considerations of race, religion, or national origin. Far too many of those events still take place in our Nation today.

According to the Center for Democratic Renewal in Atlanta, there were nearly 3,000 documented incidents of hate crimes in this country between 1980 and 1986. Another estimate indicates that 90 percent of these acts of violence are committed by people under the age of 21—our youngest members of society.

Let me cite just two examples that occurred within a single week in November 1988:

In Portland, OR, three members of a youth gang called East Side White Pride beat an Ethiopian immigrant to death with baseball bats.

Five days later, white supremacists destroyed by fire a black church in Rockford, IL—for the second time.

Although this has not necessarily been completely investigated and you certainly cannot say the cause of this now is a simple cause, but I think all of us have read with regret about a young woman who lies in a coma in New York City today as a result of a brutal, unprovoked attack by a gang of young people in Central Park on April 19. The motivation for that attack, of course, is something we will find out as time goes on.

The point is there have been thousands of incidents of this nature in recent years. If the message of nonviolence, tolerance, and moral values taught by Dr. King can prevent just one such act in the future, then in my opinion it is worth the effort being made with this holiday and with the Commission and with all the effort people are making at the King Nonviolent Center in Atlanta to impress on our young people and, indeed, all the young people of this Nation the importance of eliminating racial hate, eliminating discrimination from our land.

I am particularly impressed with the work done by the Martin Luther King Holiday Commission in working with schools, to teach children with no personal memory of Dr. King the values he lived, fought, and died for.

Most Senators have probably at one time or another seen a television commercial or poster featuring an animated bloodhound called Officer McGruff who presents tips on fighting crime, aimed especially at a younger audience, under the slogan, "Take a Bite Out of Crime." In many schools, police officers volunteer to dress up as Officer McGruff and speak to children about the nature of crime.

The Federal Government alone is spending more than \$2 million a year in the Officer McGruff promotion. I believe that money well spent, mind you, and the much smaller figure we authorize to spread Dr. King's message to children and parents alike will be money well spent also.

In summary, Mr. President, S. 431 is nothing more than a logical step to continue the historic action we took in 1983 to honor Dr. King and his legacy. As you know, President Bush has committed the administration to support of S. 431, and the House has already passed H.R. 1385, a similar measure. The House bill is permanent. This bill is a 5-year bill. The House bill has \$500,000 a year. This bill has \$300,000 a year. So we are not making it permanent in this legislation, but we are giving the Commission a clear mandate for the next 5 years to continue its important work.

It is clear that the action we took to honor Martin Luther King, Jr., has achieved very broad public acceptance,

both in this country and around the world.

In 1983, some Members of Congress were concerned that a Federal holiday honoring Dr. King would not be recognized beyond the jurisdiction of the Federal Government. Forty-five States now recognize the holiday, along with 140 foreign countries, and countless public and private organizations are involved all over America.

In 1983, Members of Congress feared the holiday would be simply a black event, without participation from broad elements of the population. Today, of course, the Martin Luther King holiday probably secures broader participation in commemorative activities than any other secular event other than Independence Day or perhaps Memorial Day.

Many concerns about the Martin Luther King holiday have been laid to rest.

As we consider this bill today and tomorrow, we must recognize that the fundamental question about Dr. King has already been answered in this Nation and throughout the world: Was Dr. King right or wrong in challenging racial discrimination in this country during the 1950's and 1960's?

Clearly he was right, and the fact that he was controversial at the time is simply additional evidence of his courage and his fortitude.

He was right when he demanded equal opportunity and equal rights of citizenship for all God's children.

He was right when he preached and taught by his example that love would overcome hate and that the good will of a majority of Americans would overcome the bigotry of a minority.

He was right when he claimed the principles on which this Republic was founded as the charter for the civil rights movement.

Because he was right, the message of Martin Luther King has now become a vindication of the American ideals he believed in, and a strong answer to Marxist dogma and Communist propaganda.

After all, Dr. King helped to eliminate one of the most powerful instruments of propaganda America's enemies have ever possessed—the suggestion that America was unjust, the suggestion that America was bigoted, and the suggestion that democracy was simply a bad joke for millions of Americans because of the color of their skin. Dr. King's life, his example and the results following from that example have virtually eliminated that tool in the hands of the Marxists around the world.

For many years those charges about America threatened our foreign policy and even our national security, especially in the Third World where Communists broadcast every single instrument of racial injustice in our country.

This does not mean we have done away with all of those instruments. We no longer have any question about the law and where our Government and our people stand on this question in America.

Thanks in no small part to Dr. King we have overcome those charges and today more than ever before America's ideals are respected and emulated around the world.

Dr. King's work and message are today understood as an important part of the intellectual and moral arsenal of America. Last September 19, then Secretary of State George Shultz told a gathering of 130 ambassadors:

Effective diplomacy today needs the inspiration of a moral vision—a vision of a world where prosperity is commonplace, conflict an aberration, and democracy and human dignity a way of life. No American articulated that vision more forcefully than Martin Luther King, Jr.

Mr. President, I urge speedy passage of S. 431. I believe that we can in this legislation help to keep Dr. King's dream alive which, after all, is now the American dream.

Mr. President, I yield the floor.

Mr. RIEGLE. Mr. President, I commend the Senator from Georgia for his leadership on this issue. I rise in support and as a cosponsor of this legislation.

I recall being among the several thousand mourners at the funeral service of Dr. Martin Luther King in Atlanta, GA, many years ago. I remember vividly the scene as literally thousands of mourners attempted to crowd into the Ebenezer Baptist Church to pay their respects to Dr. King, his memory, his life's work and his family. Then, the long walk that ensued afterward as many of us walked together from the site of the church service to the burial site some distance away. On that day, black and white people, brown people, people of all colors, all backgrounds and ethnic heritages were there to express an outpouring of national feeling about the tremendous loss that we had experienced under the most tragic circumstances. It is so important that we continue to not only mark his life and his life's work with our national holiday, but also, with appropriate commemorative activities to help us make the rest of the journey.

We are not a perfect nation. We strive to meet an ideal and a standard in our founding documents that is beyond what has ever been contemplated or attempted by a modern nation. We are not quite there, and so, as we strive to try to achieve the highest ideals of our thinking and of our hearts, this kind of emphasis and work is essential. I commend the Senator for it.

Mr. NUNN. I thank the Senator from Michigan for his kind comments about Dr. King and his memories of

the funeral and the inspiration he took from the life of Dr. King.

Mr. President, I ask unanimous consent that the names of the Senator from Nevada [Mr. REID], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Oregon [Mr. HATFIELD], the Senator from Maine [Mr. COHEN], the Senator from Indiana [Mr. LUGAR], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Tennessee [Mr. SASSER], and the Senator from Oklahoma [Mr. BOREN], be added as cosponsors of S. 431, a bill to authorize funding for the Martin Luther King, Jr., Federal Holiday Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NUNN. Mr. President, I yield the floor.

Mr. COATS. Mr. President, Eric Hoffer once wrote, "How frighteningly few are the persons whose death would spoil our appetite and make the world seem empty."

Dr. Martin Luther King was such a man—and he remains so today, 21 years after being so savagely snatched from among us.

He was a man of vision, committed to ideals of freedom and equality that still demand our vigilance. He was a man who dared to believe in Christian principles and national precepts when racial violence and inhumanity threatened to rend our social fabric.

President Reagan said of Dr. King that America will remember him "as a drum major for justice, as a giant whose life was far from being in vain." And so it is fitting that we keep his dream alive, remembering even now how far we have to go. It is my hope that we continue to reflect on Dr. King's life, renewed in our pledge to seek dignity, compassion, and equality for all people.

This legislation before us today will help ensure that dream is kept alive. By extending the Federal Holiday Commission we will have yet another opportunity to bring individuals from all races, religions, and backgrounds together, to reflect on both his dream and its fulfillment.

I am pleased to be a cosponsor of this legislation, and I urge my colleagues to support its swift passage.

Mr. HELMS. Mr. President, I hope we can travel a fairly narrow corridor in the consideration of this bill. I have no illusions about what could perhaps be called the loneliness of my position in opposition to the bill. I would say at the outset that I have enormous respect for those who disagree with me. But I think the Senate ought to consider the precedent that it is setting.

Furthermore—and I will expand on these remarks a little later—the flat guarantee was made on the floor of this Senate and now in the House of Representatives by distinguished Senators and Representatives when this

Commission was first established by Congress that there would never be one dime of Federal funds spent for the operation of the Commission. Those statements were unequivocal. They were flat out. And I am sure that each Senator and each Representative who made such a statement was convinced in his own mind that was right.

So here we come now for a renewal of the Commission to extend it for 5 years, and for 5 years according to the House version, the taxpayers of the country will be required to furnish \$500,000 a year. The Senate version offered by the distinguished Senator from Georgia [Mr. NUNN] stipulates \$300,000. So we have \$1½ million versus \$2½ million. That is just the beginning. Let us not mislead ourselves. The action that will be taken on this bill will in fact be a permanent action.

No such Commission, certainly none financed permanently by the Federal Government, has ever been established with relationship to any other regular holiday—not George Washington, not Abraham Lincoln, not anybody else.

The King Center for Nonviolent Social Change receives from private contributions an estimated \$20 to \$30 million per year. I do not understand why any of the taxpayers' money ought to be used to finance this Commission, particularly when so much cash is rolling in from private donors.

I commend those who contribute to any organization in which they believe but I do not believe that the taxpayers of the United States ought to be required against their will in so many cases to furnish money in any amount for this or any other commission.

I said at the outset that I hope the debate will travel a narrow corridor. I do not propose to get into any of the details about the life of Dr. King. Those who believe him to have been virtually a saint are entitled to their beliefs. I am obliged to say however that this Senator fails to understand why, if Dr. King had such an unblemished career, the records on his career have been sealed by court order until after the turn of the century. Included in those files is information collected on the order of the then Attorney General of the United States, the distinguished Robert Kennedy, who in his capacity as Attorney General ordered electronic surveillance of Dr. King and his activities.

I bear no animosity whatsoever toward Mrs. King or any member of the family or anyone. But I fail to understand, and so do many other Americans, why it can be justified to prevent the American people or even the Congress from knowing what is in those files or in the files of any Senator or Representative who has been convicted in a court. And I will confess that I think it is about time that we all learn

the details of the tragic assassination of President Kennedy in 1963. I do not understand why the American people are not entitled to know the facts about the people who are in positions of leadership or who before their deaths were in positions of leadership.

I am going to have several amendments on which I will ask the Senate to vote. I harbor no illusions about the success of the amendments, but I think each of them, as we proceed, will be matters on which the Senate ought to take a stand. I will not elaborate upon the amendments at this time, but I will say that they have been carefully drafted by distinguished constitutional lawyers who have been good enough to assist me in trying to create this narrow corridor of debate which I hope the Senate will consider. But whether I win or whether I lose is not important. I will have satisfied my own conscience about what I believe to be right and what I believe to be wrong.

In that connection, Mr. President, I have written to the General Accounting Office on the question of assessment of this legislation, and I also wrote, on April 17, to the distinguished chairman of the Senate Judiciary Committee, Mr. BIDEN, about this legislation. I think it is interesting to contemplate what really is at issue here. And I think I can best do that by reading the letter that I wrote to Senator BIDEN in his capacity as chairman of the Senate Judiciary Committee.

I said:

DEAR JOE: We have each received a copy of the 1988 Annual Report of the Martin Luther King Federal Holiday Commission, a copy of which is enclosed for your ready reference. We are concerned about the nature and extent of some of the activities and programs of the Commission, described in this Annual Report, which go far beyond the stated purposes for which the Commission was established.

For example, the Annual Report describes the Commission's national college student conference in Atlanta as follows: "The students learned how to bring protest campaigns through the stages of information, education, personal commitment [sic] and purification, negotiation, direct action, reconciliation, and gained fundamental skills which allowed them to return to their campuses and effectively deal with injustices. The Conference also encouraged students to register and vote."

According to the Annual Report, the Commission already receives significant support from federal funds. All of the Commission's employees, except the Executive Director, are provided on a non-reimbursable basis from federal agencies. For the three-year period ending 28 February 1988, the stated value of these services was \$1,312,000 in the Washington office and \$307,000 in the Atlanta office. (This does not include office space, furniture, and equipment, also donated on a non-reimbursable basis by federal agencies.)

We believe that before Congress commits further tax funds to the Commission, hearings should be held to ensure that the activities of the Commission are consistent

with the purpose for which the Commission was established. Also there should be an analysis of what is being spent, or not spent, in connection with holidays honoring George Washington, Abraham Lincoln, et al.

Sincerely,

JESSE HELMS.

So, Mr. President, that, as far as I am concerned, is the scope of what the debate should be on this issue. I do not propose to get into an assessment of Martin Luther King's life or his career. Others have done that today. Others will do it later. But I reiterate, just for the purpose of emphasis, if all that is said on this floor, has been said in the past, and will be said in the future, is correct, why are the American people denied the opportunity to know what is in the report which was ordered by the then Attorney General of the United States, Mr. Robert Kennedy?

But we will proceed and see how it comes out. I will withhold further comment until I hear something further in debate, and I will begin with the amendments, which I have discussed with the distinguished leadership, the majority leader, Mr. MITCHELL; the minority leader, Mr. DOLE; and the chief sponsor of the pending bill, Mr. NUNN.

Thank you, Mr. President, for the time, and I will yield the floor.

Mr. SPECTER addressed the Chair. The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair.

Mr. President, I support S. 431, to support the Martin Luther King, Jr., Federal Holiday Commission Act, because I believe that the annual holiday commemorating Dr. King's work is very significant. The holiday has shown great national and international interest in the first 3 years of its existence. The modest funding proposed in the bill is necessary, in order to publicize the holiday and give support, so that it may be expanded in this country.

Mr. President, I had the opportunity to know Dr. King, not in depth, but to some extent, on his visits to Philadelphia in the mid-1960's. When the question is raised about knowing the facts, I cannot testify as to all of Dr. King's life, but I can testify to his presence in a big American city in the mid-sixties, and to the very positive aspect which he had for the maintenance of peace and tranquility, law and order, and justice in the city of Philadelphia.

The mid-sixties were very troublesome times, when riots occurred in many American cities, in Pittsburgh, Detroit, Newark, and Los Angeles, peace was maintained in Philadelphia, and I think in significant part to the activities of Dr. Martin Luther King, and others, who carried forward some of his important messages.

Mr. President, there are many days which signify commemoratives for var-

ious groups in our country: St. Patrick's Day, Columbus Day, Pulaski Day, where in Philadelphia, for example, the parades come down the parkway.

We have Independence Hall in the city of Philadelphia. I drove past it yesterday, a very different day from the one on September 17, 1987, when President Reagan appeared at Independence Hall to commemorate the 200th anniversary of the Constitution, or the insignia where Abraham Lincoln stood in 1863 or the place where President John F. Kennedy stood on July 4, 1962. It is a monument of national and international importance. As previously outlined, some \$46 million was spent to commemorate the bicentennial of the United States of America, and I think that is money well spent.

The role of Dr. King's holiday, Mr. President, I think, has real significance, because of his principles of non-violence, peaceful resolution of disputes. Dr. King had a vision, a vision for America, a vision of equality, a vision of opportunity, a vision of achievement, which I think has real significance in the day-to-day living of many people in the big cities and in the small towns of the United States.

Dr. King provided a role model and motivation. In an era when we are trying to lead, especially the young people, away from a life of drugs, a life of crime, a life of violence, it is a small cost to pay, some \$300,000 a year, to promote the observance of Dr. Martin Luther King Day around this country and around this world.

Mr. President, I have the opportunity to serve on the board of directors of the Martin Luther King, Jr., Association for Nonviolence of Philadelphia, and I have seen Dr. King's memorial day grow from 1986 to 1987 to 1988. I can recall my own activities years ago as district attorney of Philadelphia, where we had a variety of programs to establish role models for motivation, for many in that city; and to have a holiday for Dr. King has a very, very important purpose and a very, very important objective, and that is why I rise to support this important bill at this time.

With the enactment in 1983 of the Federal law to designate as a legal holiday the birthday of Martin Luther King, Jr., and the first observance of the holiday in 1986, our Nation has been enriched through its recognition of this great American leader. In 1984, Congress also established the Federal Holiday Commission which provides advice and assistance to Federal, State, and local governments and private organizations involved in activities to recognize the legal holiday.

Since 1984, the Commission has performed a vital service to ensure that public and private institutions and or-

ganizations properly honor the work and teachings of Dr. King. By providing literature, speakers, and direct program assistance, the Commission has coordinated appropriate commemorative events in the 50 States and territories, at all United States installations, and in more than 140 nations throughout the world.

As a member of the board of the Martin Luther King, Jr., Association for Nonviolence, Inc. of Philadelphia, PA, I am personally familiar with the importance of the activities provided by the Commission. The Martin Luther King, Jr., Association for Nonviolence, Inc., annually sponsors and cosponsors activities throughout the month of January commemorating the life and work of Dr. King. These programs include citywide youth celebrations and workshops, public affairs, and a gala luncheon honoring people who have demonstrated a commitment to change through nonviolence. This organization also organizes the traditional Philadelphia celebration, the symbolic ringing of the Liberty Bell on the holiday which triggers bell-ringing throughout the United States and by Big Ben in England.

Mr. President, I have long supported the importance of establishing a Federal legal holiday to honor the memory of Dr. King, as well as the need for a Commission to carry out appropriate activities. In 1983, I was an original sponsor of legislation to establish the holiday, and in 1984 I supported legislative efforts to establish the Commission. S. 431, the Martin Luther King, Jr., Federal Holiday Commission Act extends the Commission for 5 years and authorizes an annual appropriation of \$300,000. The Commission has been operating through fund-raising activities and resources provided by Federal agencies. Federal appropriations will enable the Commission to hire full-time staff and provide travel expenses to individual Commissioners.

Accordingly, I urge my colleagues to support this legislation to fulfill this important congressional mandate to honor the work of Martin Luther King, Jr.

**The PRESIDING OFFICER.** The Senator from North Carolina.

**Mr. SANFORD.** Mr. President, I am delighted to join my distinguished colleague, Senator SAM NUNN, of Georgia, in sponsoring S. 431.

In North Carolina, I think we can be proud of our history in the early 1960's when we confronted candidly, honestly, and courageously, the need to end racial segregation in our society. We all knew that prejudice and discrimination were a drag on our economy. We all knew that it was un-Christian and undemocratic and unfair.

We struggled with these emotional forces, with our understandable ties to tradition, with our still bitter resent-

ment of the treatment of the South in the years of so-called Reconstruction after our defeat in the Civil War.

We overcame all of these resentments and hostilities and obstacles and did our part to make American society what it ought to be. Of course we must be concerned and compassionate for the least of our citizens. Of course we need to be concerned that in this great Nation the chance of birth, whether burdened by race or poverty, must not be a bar to the full opportunities of the great American dream.

I remember that in 1960 Dr. Martin Luther King called a student conference at Shaw University in Raleigh, NC. More than 200 students gathered on the Shaw campus, as they were gathering on similar campuses, holding workshops in humid classrooms, planning and pledging themselves to action, but also to nonviolence. "This is no fad. This is it," they declared. "We're trying to eradicate the whole system of being inferior."

Individual liberty, democracy, the very soul of America was at stake, and in North Carolina I think we won. I think we led the way. I think we have continued to lead the way in an understanding of the frustrations and the needs of black citizens who so long were denied enjoyment of the fullness of America.

The issue before the Senate is the observance of a holiday bearing the name of Martin Luther King. This is not intended, it seems to me, to be a tribute to an individual. Rather, Martin Luther King is a symbol, a concept, a concept of breaking out of the prison of segregation, an entry into the freshness and hope of America. Had the chance of history been different, had Martin Luther King not been assassinated, there nevertheless would have been declared such a holiday. No doubt Dr. King would have been in the forefront seeking a day to recognize and honor the freedom of black Americans. It is that symbol, that hope, that spirit, that soul, we celebrate. It is not who he was, but what he meant. And indeed, the holiday might well have been called "Martin Luther King and Tens of Thousands of Black Americans Who Struggled and Suffered for Freedom." Those are the people we honor.

I do not want to see our sensitivity tarnished by belittling this great movement that has been in the best interest of America.

It is a time for moving forward, a time for acknowledgement of brotherhood, a time for working together. This is not a time to inflame the passions of old. It is a time to perfect the American spirit.

Martin Luther King Day is of tremendous importance for every black citizen in America. I suggest that it is of tremendous importance for all Americans. It marks a remarkable

period in American history. It recognizes not at all one individual. It recognizes individual freedom.

**The PRESIDING OFFICER.** The Senator from Tennessee.

**Mr. GORE.** Mr. President, I also join in cosponsoring and urging the adoption of S. 431.

Two decades ago this spring, the forces of hatred gunned down the Reverend Martin Luther King, Jr. Nothing we can say or do can bring him back, even though our country needs leaders like him today perhaps more than ever. But, Mr. President, there are many things we can do to keep his dream alive. We can start right now by extending the Martin Luther King, Jr., Federal Holiday Commission.

Congress set up the Commission in 1984 to encourage more Americans to commemorate Dr. King's birthday. At that time, only 19 States had declared that day a holiday. Now 44 States do so, including Tennessee. The celebration has also spread to a hundred other countries.

Yet the King Commission's work has just begun. It is also active in voter registration, inner-city development, youth counseling, and the war on drugs and drug-related crime.

Dr. King left us to carry on a great struggle. As a nation, we are still divided—rich and poor; young and old; black, white, Hispanic, Asian, and otherwise. The gap between rich and poor is wider than ever. The barriers to economic opportunity and social progress are as high as ever. We are coming to the end of a decade in which the only civil rights movement was backward.

Yet in truth we are still one country, North, South, East, and West. Whatever our race or origin, we are one people, with the same rights and the same dreams and the same destiny. And we must stick together.

Let us be done with the politics of race in this country and emphasize once again the politics of results.

I was in Memphis the summer after Dr. King was murdered, and I will never forget the pain we shared. He had come to help striking sanitation workers win a contract from the city. Every April, my good friend Rev. James E. Smith leads the people of Memphis in a march to honor the man who gave his life to expand our understanding of the meaning of justice and strengthen our commitment to it. We carry on that march because we share that dream.

Martin Luther King, Jr., dreamed that one day every child in America would grow up free from prejudice, free from want, and free to build a better life. It is time in 1989 to fulfill the dream that was deferred in 1968.

The Martin Luther King, Jr., Commission is a living tribute to the principles for which he stood and fought, to his legacy, carrying on the fight for

freedom which he led. I urge my colleagues to support this measure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I rise in support of S. 431, which I, too, am pleased to cosponsor.

My distinguished colleagues who have preceded me on the floor this afternoon have eloquently stated the case for passage of the bill as introduced with the full appropriation.

In these times of limited resources, it is not only appropriate, it is necessary, for us to examine every proposed expenditure.

But in making that examination, we cannot lose sight of the ideals that made our Nation what it is today.

Without question, the principles of racial equality and nonviolent social change that Dr. Martin Luther King, Jr., taught us have become a part of the fabric of our national character.

Just as it is important for our Nation to set aside time to reflect on Dr. King's life, it is also important to make sure that future generations of Americans, and people throughout the world, are aware of the importance of his principles and his teachings to our country.

Since 1986, the Martin Luther King, Jr. Federal Holiday Commission has helped this Nation's youth learn the importance of Dr. King's teachings: of achievement at school, of service to others, and of living in harmony and justice in a global community.

The Commission has taken that message to over 140 nations around the world as well, giving us hope that Dr. King's vision of peace and justice throughout the world will one day be realized.

Mr. President, I hope my colleagues will join with me in recognizing the value of the Commission's work to our national character, and will vote to pass S. 431.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I welcome the opportunity to join with my friends and colleagues here on the floor of the Senate and to urge the successful passage of this legislation, which I believe will ensure that this Nation, to the extent that we possibly can, will focus our national attention, for 1 day of 365 days, to think about the life and the work of a very distinguished minister of the church and a Nobel laureate, Martin Luther King, Jr.

I was here, Mr. President, on this floor, as a matter of fact, the prime sponsor of the Martin Luther King holiday. I knew the months and the years that it took for us to have that day designated as a day of remembrance for a very extraordinary individual, a very extraordinary human being.

We faced filibusters in the Judiciary Committee. We faced filibusters out here on the floor of the U.S. Senate. There were those that said we should not take those few hours every year to try and focus on the contributions to the cause of liberty and freedom in this Nation and the nonviolent approach to many of the challenges that we were facing here. They said that we should not take that time, that this man was not deserving, nor the teachings that he made should be thought about and recognized.

Well, I, too, had the opportunity to know Dr. King in the late 1950's and in the early 1960's. I had the opportunity to experience that extraordinary moment when Dr. Martin Luther King spoke to the Nation from the Lincoln Memorial and some quarter of a million people, young and old, black and white, native Americans, every dimension of our American society and people from around the world, listened to his absolutely extraordinary challenge to our Nation. And what a challenge it was, Mr. President.

As a member of the Bicentennial Commission we just had our meetings in New York this past week and I had the opportunity to attend. And there we have as part of the membership former Chief Justice Warren Burger and others skilled in the law and history of our Nation.

Once again I was reminded of the fact that this Nation failed to come to grips with the extraordinary issue of slavery at the time that the initial States ratified the Constitution of the United States. That was a judgment, that was a choice, that was a decision, that was a compromise that was reached by our Founding Fathers. But it was reached.

And we recognize that that magnificent document, which is the greatest manifestation of individual rights and liberties and the balances between the various elements of Government, as magnificent as it is, failed on that important issue. And in any examination of the debates that took place by the various States, we review those and find that those ratification conferences in so many instances were decided by a handful of votes. And I think historians appropriately point out that should there have been a change in that particular provision, should there have been a statement, as a number of the Founding Fathers had wanted to do, to say that slavery was not right in this Nation, there are few who believe, from a historic point of

view, that that Constitution would have been ratified.

And we know, Mr. President, what subsequently took place. This country involved itself in the Civil War, the bloodiest war that we have ever fought. And you only have to travel a few hours from where we are gathered here today to perhaps the bloodiest battleground in the history of this Nation, Antietam—24,000 killed in less than 3 days, tens of thousands wounded for life—or go to other battlegrounds, Manassas, the whole range of different battlegrounds, let alone Gettysburg and others, to realize the extraordinary loss of life and limb and blood that was shed at the time when this Nation was trying to free itself from the shackles of slavery.

We know the extraordinary developments that took place in the reconstruction period: The agony, the adjustments and the struggles that took place even in this country as we were trying to cope with the decisions in the 1890's, such as Plessy versus Ferguson, that said once again we can be separate and we can be equal. It appeared that we were going back and retreating on the fundamental commitment of this Nation that when we talked about liberty and justice for all we really meant all, black and white—liberty and justice for all.

And then that great march of Dr. King in the late 1950's and through the period of the 1960's demonstrating absolutely extraordinary personal courage, arrested time in and time out, in many instances alone, with howling mobs looming outside of churches where he gathered with fathers and mothers and small children.

His great strength was the power of his moral message to the faithful gathered in those churches, members of families who at another time might have experienced some of the darkest days of this Nation—when lynching was accepted and some of the most brutal kinds of human indignities experienced by our fellow citizens. The power of his life and the power of his message awakened this Nation, and it did it in an extraordinary way. It did it in a nonviolent way.

Given what this country had experienced 100 years before, Dr. King, more than any other individual, was able to appeal to the blacks in this country, but also to appeal to the basic moral teachings of what this Nation was about and gather the support of whites and members of all races and all religions.

This country moved, Mr. President. This country moved with the Voting Rights Act of 1964. I always find it amazing, now, when I travel around my State of Massachusetts, that students do not even understand that there were large groups in our society that were denied the right to vote in

America prior to 1964. They do not even understand that before the Public Accommodations Act that there were members of our fellow citizenry whose skin was not white who were denied the opportunity to travel on trains or buses and forbidden to go to various hotels. People really lose track of all of the progress that was made.

We made progress as well to eliminate the discrimination in employment. Still, we find too many instances where that issue is still before us as a society. Just last year we completed action on one of those issues when we actually put teeth into the 1968 act on fair housing. Prior to that time we found, in the various studies that were taking place, that if your skin was black in this country you had a 70-percent chance to be discriminated against when you went out and rented a home; 50 percent when you went out to buy one.

Those are in the last 2 or 3 years, Mr. President.

So we were able to take action last year and were able to make progress. And I daresay that those efforts and important steps toward progress that we took in the 1960's, and again in the seventies and last year in the eighties, really find their roots back in the teaching and the experience we find in the life of Dr. King. When we went on to pass that holiday, Mr. President, we committed ourselves to make it a meaningful holiday.

I hear out here on the floor now questions about who said what about funding at that particular time. I know what was stated and what was believed to be the case, that the King holiday was going to be a meaningful holiday. This legislation, that has the support of President Bush, is going to make it a meaningful holiday.

There are those who were against this holiday when it was established and they appear to be against it now. And now we are hearing from some on the floor of the U.S. Senate. It is a rearguard action. They could not stop the King holiday then, but they are out to try to undermine the holiday now.

I think it is appropriate, Mr. President, to ask whether those lessons that we learned 20 years ago and 25 years ago, need to be brought back to our fellow citizens even now. And I daresay they do. Because I can remember, even in the last 8 years, when the former Senator from Maryland, Senator Mathias, and I were trying to gain cosponsors for the reauthorization for the Voting Rights Act, when we had an Attorney General of the United States who appeared before the Judiciary Committee and said no; no to an extension of the Voting Rights Act. That was William French Smith, Mr. President, in the 1981 hearings of our Judiciary Committee. Sometimes we

seem to be a country that grows more separate and less equal.

I was here in the Senate when we considered the Bob Jones case. It presented a very basic, fundamental issue: Should taxpayers' money be permitted to go to private institutions that are going to discriminate? I thought part of the debate in the 1960's would say: No, we are not going to do that. We are not going to permit American taxpayers' money to be used by institutions which are going to practice segregation. But not in the early 1980's, that was not the position of the previous administration. That was not their position.

Or the Civil Rights Restoration Act to ensure that we were not going to have discrimination and use taxpayers' funds to discriminate, not only on the basis of race, but for women in our society. We were only able to go back to what we believed in the 1960's by overriding a President's veto.

The lessons of voting, the lessons of not using funds for discriminatory purposes, the assaults on affirmative action so that we were not going to discriminate against individuals on the basis of the color of their skin, the dismantlement of the EEOC, all happened in the last 8 years.

And we have to ask ourselves: Are the lessons that we learned during those difficult and trying times—we experienced extraordinary anguish and extraordinary courage that brought out the best and the darkest sides of our nature in those periods when Dr. King marched at Selma and was incarcerated in the Birmingham jail—whether it is important for us to be reminded of those lessons and whether it is going to be important for our Nation to be reminded of them in the future?

Those are just the issues dealing with civil rights, Mr. President. And they only cover to a small degree the amount of civil injustice, economic injustice, and poverty that Dr. King brought to the attention of this Nation.

We do not have to look at studies, when we go out across this city or most of the major cities of the country and see the homelessness in our country. We find out about the deterioration in our school systems; and the fact that there are many individuals who do not have health insurance; the basic issues of economic justice as well as civil rights—I daresay all of those lessons are worthwhile for a great nation, as our Nation is, that is in constant pursuit of moving the causes of justice and equity and fairness forward with regard to its fellow citizens.

I daresay Dr. King has personified those lessons in his message, and it is a message which I think we as a country would do well if we focused on, not just 1 day of the year, the Martin

Luther King holiday, but for the other 364 as well.

With this legislation, if we are able to remind our fellow citizens of the progress that has been made and also that which needs to be made, Mr. President, this legislation will have far exceeded all of our greatest hopes and dreams.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### PROHIBITING THE EXPORT OF TECHNOLOGY RELATIVE TO THE FSX AIRCRAFT

Mr. DIXON. Mr. President, I send to the desk a joint resolution of disapproval and ask that it be read.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 113) prohibiting the export of technology, defense articles, and defense services to develop or co-produce the FSX aircraft with Japan.

(The remarks of Mr. Dixon pertaining to the introduction of legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### FUNDING FOR MARTIN LUTHER KING, JR., FEDERAL HOLIDAY COMMISSION

(The Senate continued consideration of the bill.)

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

Mr. President, a great deal of what has been said thus far amounts to little more than a non sequitur in terms of what the issue before the Senate is all about. I said a few moments ago in my preliminary remarks that Senators will differ in their assessments of Dr. King, just as many Americans differ. But what the Senate is being asked to consider is a matter that involves precedents, it involves whether the legislation had been thought through in terms of its ultimate implications and, in fact, whether it is a fair and equitable piece of legislation. We will see. But let us review the Commission a little bit.

The Martin Luther King Commission was established in 1984 because Congress determined that—

It is appropriate for the Federal Government to coordinate efforts with Americans of diverse background and with private organizations in the first observance of the holiday.

That is what it said when we first considered this. And I recall that almost every Member of Congress, House and Senate, who spoke in favor of creating this Commission stressed, emphasized the point, first, that the

Commission would exist for only 20 months; and second, that no Federal funds would ever be used.

So here we are today using a lot of rhetoric to bypass the point. I recall that one Congressman, Mr. Addabbo, said on the floor of the House:

The maintenance and expenditures of the Commission are to be made from privately donated funds and, therefore, represent no further burden on the Federal budget.

Another Congressman, Mr. GARCIA, said on the floor of the House of Representatives:

The Commission will be a temporary structure and will disband forever after its work is done. It will require no Government funding and will be supported entirely through private contributions. Thus the bill does not propose a permanent structure that will burden the budget and take scarce resources away from vital areas where they are needed.

It is worth noting parenthetically, Mr. President, that the House of Representatives now has passed a bill making permanent this Commission. No wonder that the American people have a great skepticism about the sincerity of anything said in the House and Senate, certainly about the expenditure of the money required to finance this Government.

Then there was another Member of the House of Representatives, Mr. COURTER, who said on the floor of the House:

I would emphasize also that this Commission will be functioning using private donations, private money as Dr. Martin Luther King, Jr., would have it, I am quite sure, if he could express his own desire.

Then, Mr. President, in 1986 we heard arguments that the Commission still needed a few more years to complete the job it had started in 1984. And you remember that that job was to promote the first observance of the Martin Luther King holiday. Long past, but yet they needed a little more time, a little more money. Consequently, in 1986, the Commission's life was extended for 3 more years, and that expired in April of this year. Again, in 1986, we heard the proponents of the extension stress the point that the Commission operates on private funds. That was emphasized time and time again.

I remember Senators said it will not cost the taxpayers 1 cent. Well, they were wrong then. They did not know what was in the bill then. There was a stampede to approve it.

One of our distinguished colleagues in the Senate, one of the most able Members of this Senate, and I am sure he believed every word he said—let us quote him.

It should be emphasized that no Federal money is appropriated for the Commission. Rather, it operates entirely on donated funds. Under the extension legislation, the Commission would continue to be funded from these sources—

Meaning private sources—

expanding the size of the Commission should also enhance its ability to raise private sector funds.

I have already said that this Commission is not lacking for moneys. My information is that it has taken in between \$20 and \$30 million from private sources, but that is not enough. Here they come to the taxpayers.

Another Senator, one who I respect enormously and I know he believed what he said on that day in 1986:

No Federal funds would be required, and the activity of the Commission will continue to be supported by private donations.

If anybody wants me to identify any of the Senators, I will be glad to do that in the RECORD. Another of our distinguished colleagues stated that the Commission "does not cost the Federal Government a single penny." No equivocation, no doubt in his mind about that. He simply did not know at that time what the bill provided. I do not believe Senators now know the implications.

Now, we are traveling this narrow corridor that I described at the outset of my remarks an hour ago. I am not going to get into the business of assessing Dr. King's life, Dr. King's career. That has been done. I am just raising questions about whether the Senate understands what it is doing in terms of the implications and the precedents. I do not think the Senate does or—and I hope I am incorrect about this—the Senate does not care.

Before we get too far in this debate, I think we need to correct a misunderstanding that has been created as to whether the Martin Luther King Holiday Commission is supported by Federal funds. Contrary to what has been said by many, the Commission has been receiving significant support from the American taxpayers.

The law creating the Commission provided that—

Upon the request of the Commission, the head of any Department or agency of the United States may detail on a nonreimbursable basis any of the personnel of such Department or agency to the commission to assist in carrying out its responsibilities under the act.

As a result of that little thing, Senators ignored at the time—in fact, got up on the floor at that time and said not one penny of the taxpayers' money will be spent.

Let me tell you, it was mighty profitable for the Commission, and I am going to demonstrate the point by reading from the Commission's own annual report:

All of the Commission staff except for the executive director were provided on a nonreimbursable basis by Federal agencies.

According to the last two reports from this Commission, the value of these services, the cost to the American taxpayers, in other words, for the 4-year period ending on February 28, 1989, was \$1,729,000 in the Washing-

ton office of the Commission and \$375,000 in the Atlanta office. These estimates do not include the value of office space furnished by the Federal Government or furniture issued by the Federal Government and equipment furnished by the Federal Government used in both the Washington and the Atlanta offices by this Commission. All of this was provided by Mr. U.S. Taxpayer, whether he liked it or not, contrary to what had been promised, vowed to on this floor at the time the bill was passed.

I am sure Senators are enjoying coming over here and paying their respects to Dr. King, and that is fine. I am even sure they are sincere in expressing their respect and admiration for Martin Luther King and his works, and I am sure they have a genuine desire to see the holiday celebrated appropriately, and that is fine. I also understand that Senators who have spoken this afternoon feel a need to demonstrate their continued support by spending more of the taxpayer's money. It is so easy to spend somebody else's money, and you can make it so virtuous. I am going to give Senators a chance to put up or shut up on that proposition before this is over. But what I really want, what I really seek, Mr. President, is to have Senators think seriously before sending us further down the road of providing sizable sums of money for this purpose in addition to the significant financial contribution already made by the American taxpayers.

We all profess to be concerned about the budget deficit. We certainly, every time we go home, profess to be concerned about the burden on the hard-working taxpayers, and I feel that way, too. But I bet on this issue the vote is going to be lopsided, and I knew that when I went into this issue.

Now, I met this morning with the distinguished majority leader and minority leader and Senator NUNN. I made them a proposition that if they would delete the funding, we could get this matter over and done with quickly. I feel this way about it, Mr. President. If the Commission is willing to promote this holiday with private funds, that is fine. In fact, I admire the members and staff of the Commission for the dedication they bring to a cause in which they believe. But let us look at what we are talking about, that narrow legislative corridor that I mentioned an hour ago when I first rose on this Senate floor to briefly discuss this matter.

Under the pending legislation, the proponents not only seek to extend the life of the Commission once more, this time for 5 years, they also want what they call a modest amount of Federal support. That is the way every program in history, almost without exception, has begun: "Oh, this is a tem-

porary program; it will not cost much money." Then programs take on a life of their own, they operate in perpetuity, and the American taxpayer has nothing to say about it.

I do not think there is any mystery, Mr. President, that the intent of this bill and the intent of many of its proponents—maybe not all—from the very beginning was to create a permanent, federally funded Commission. Bear in mind that the House bill, already passed by an overwhelming margin, would make the Commission permanent with an authorization of \$500,000 a year of the American taxpayers' money, and you can bet your boots that down the line, maybe not too far down the line, they will up that to \$1 million a year, \$1.5 million a year, \$2 million. Who knows?

Mr. President, if we agree to provide any further Federal funds to support this Commission, we are headed down a path that will lead to progressively larger and larger amounts with absolutely no chance of ever reducing or stopping it.

If this Commission is extended for 5 years, the lobbying will begin immediately to make it permanent just as sure as the morning follows the night. That is the way it always works. The pressure will get greater and greater as we approach that sunset date 5 years hence.

Let me say this: In our meeting this morning, and my hat is off to Senator NUNN at least to this, he indicated his very strong objection to making the Commission permanent. But I know, and Senator NUNN is certain to know, that he will have little control over that. The train will be rushing down the track by that time, and those who have been trying to say wait a minute will be swept aside.

I would like to sit down with any of the cosponsors, just privately, not in a heated debate on this floor, and ask them what they would consider to be the maximum funding level in the future for this Commission. Would it be \$5 million, \$10 million, \$50 million, \$100 million? When I heard the recitation of all the grand and glorious things the Commission is charged with doing—which, incidentally are not covered, certainly not specifically in the bill—the sky is the limit.

I know the \$1.5 million specified in the bill now pending may be considered an insignificant amount around here, as soon as you are spending the other guy's money, any amount is insignificant. But you ask Senators to put up their own money, I tried that one time on another issue. That was many years ago. I was the new boy on the block in the Senate, and I heard all of the self-righteous proclamations about we have to do this. Just appropriate \$250 million, as I recall. I sent a little amendment to the desk with my check for \$1,000, which I would have

to borrow from the bank to cover, and I said, "Let us not spend any of the taxpayers' money. Let us, Members of the House, Members of the Senate, put up the money for it." I think I got seven votes. I got a lot of hard words from some of my colleagues. It is easy to spend another guy's money, Mr. President, but when you ask Senators to put up their own money, oh, that is asking too much.

Every day we hear our colleagues speak so eloquently about the Federal deficit. I agree with it. I was a new boy on the block again in 1973 who introduced his first bill calling for a balanced Federal budget. They said, "Let us not be silly," and voted it down.

So I am worried about the Federal deficit. I have been. I was worried about the Federal deficit before I was elected to the Senate in 1972. I voted against appropriation bill after appropriation bill because it was bloated and swollen because everybody got their little deal in. Nobody ever cuts. They always raise the Federal spending because it is not their money. It is not their money. It is Joe Taxpayer's money, and who is Joe to complain?

I have heard so many times harsh condemnations of Ronald Reagan, claiming that he created these deficits. It is not so. No President can spend 1 dime that has not been authorized and appropriated by the Congress of the United States. I like Ronald Reagan. I do not dislike him. He did plead for a balanced budget. He did plead for the line-item veto, and the Congress said, "Don't be silly. We are not going to give you either one."

I hear so much talk about how these deficits are preventing the Federal Government from adequately funding programs to feed children, to take care of the elderly, to help bring people out of poverty. Yet the same people who say these things, I predict, are going to vote on the pending bill which will begin a new Federal program which can be described at best as nonessential. Some may find it desirable. But when all is said and done—I guess a lot will be said and very little done—it is nonessential.

Furthermore, I think Senators ought to understand that there is no other federally funded entity established simply to promote a particular Federal holiday on an annual basis—not one.

I have heard references today and a time or two before today to the Christopher Columbus Quincentenary Jubilee Commission, and the Commission on the Bicentennial of the U.S. Constitution. However, those two were established to observe and celebrate exceptionally unique events in our history, one to celebrate a 200th anniversary and that does not roll around very often. Of course, the Christopher Columbus Commission was created to celebrate a 500th anniversary.

When these Commissions are through with their work, and one of them already is, bang, they will have been terminated or will be.

Now, Mr. President, what distinguishes this holiday from Independence Day or Washington's Birthday or Lincoln's Birthday—what really distinguishes this specific, particular holiday to justify the permanent federally funded Commission to promote it? Before we appropriate Federal funds specifically for this Commission, I think it is important for the Senate to understand and understand clearly, precisely how this money will be used. Do not give me some generalities. Our business in the Senate is to understand precisely how the money will be spent.

Public Law 98-399 originally set forth the purpose of the Commission. I hope you will listen to me. "The purpose of the Commission is to encourage appropriate ceremonies and activities throughout the United States relating to the first observance of the Federal legal holiday honoring Martin Luther King, Jr., which occurs on January 20, 1986; and two, to provide advice and assistance to Federal, State, and local governments, and to private organizations with respect to the observance of such holiday."

There is no question about it. It referred to one observance, the first observance, on January 20, 1986—long ago.

There was no other purpose stated for the Commission. Mr. President, the statement of purpose has not been amended. Yet the Commission's activities have gone far beyond anything contemplated when it was created in 1984.

Let me identify a few of the many activities and programs which the Commission has initiated or in which it has participated.

I simply ask each Senator to consider whether each activity is in fact appropriate, in light of the purpose of this Commission, as stated in the statute, and whether Federal funds should be appropriated to the Commission to support these programs and activities.

Now, according to the 1988 annual report of the Commission—and this is not JESSE HELMS talking; this is the Commission itself:

The Commission expanded the Freedom Trail Map program that began in 1986-1987. The focus of the Freedom Trail provides a stimulus to individuals, organizations and communities in America, as well as nations around the globe, to demonstrate commitment to nonviolent social change.

That is all well and good, but that is not what the creating statute said. They did not allow for anything like that. And then the annual report mentioned that the Commission worked with the King Center for Nonviolent Social Change, Inc.—You bet it did—and also with the U.S. Student Asso-

ciation, to conduct a national college student conference in Atlanta. Now, in this conference—and I am quoting from the annual report of the Commission:

In this conference, the Commission sought to reestablish a national college and university student coalition dedicated to the principles of nonviolent social change.

And I quote further from the annual report—

The conference brought hundreds of students to Atlanta for formal training on Kingian nonviolence philosophy and strategy.

Later, the annual report stated that:

The students learned how to bring protest campaigns through the stages of information, education, personal commitment, and purification, negotiation, direct action, reconciliation, and gained fundamental skills which allowed them to return to their campuses and effectively deal with injustices. The conference also encouraged students to register to vote.

As one of the new activities set out in the report—and when I say the report, I mean the annual report of this Commission—the Commission “has called upon holiday commissions, State, city, local, as well as other organizations and groups to identify and undertake a Martin Luther King, Jr., heritage action project.”

That might be all right, but it was not covered in the original law. What do we do around this place? Just say, here we have general language, and take the ball and run with it?

Another question that there might be is, how many more protest movements do we want the American taxpayers to finance? According to the annual report, these projects “must address problems of poverty, racism, war, and violence in its many forms, and how these issues impact upon the human experience.”

The report sets out a list of some appropriate examples, including: Housing for the poor; shelters for the homeless; creative efforts to promote peacekeeping and peacemaking; No. 4, community service programs to help the elderly, handicapped/physically challenged or other disadvantaged groups; programs to address the problems of drug abuse, teenage pregnancy, illiteracy, crime, unemployment and underemployment, none of which were covered by the statute. I thought that was something the Congress was supposed to be working on anyhow.

No. 6, assistance to small farmers and refugees; scholarships for students and adults to receive training at the King Center in Atlanta; No. 8, nonviolent projects to eliminate apartheid in South Africa and to promote independent nations in the southern African region.

Well, depending on the Senator, you may agree or disagree with some or all of these, but the point is, this authority was not covered in the original statute. Nor is it covered in the pend-

ing statute. What are we doing, a blank check?

Another of the new activities mentioned in the annual report is to support efforts “to formalize”—and that word bothers me—“to formalize instruction and curriculum in America’s schools.” Now, what are we talking about? I would like to hear Bill Bennett or somebody comment on this. Bill Bennett may be totally in favor of this bill. I have not talked with him about it. Do we really want to finance an independent organization that is going to formalize education? The Commission also plans to sponsor “a national teachers miniconference on infusing materials related to Dr. King and to the curriculum of the Nation’s schools.”

What does that mean? Does that mean they are going to be the judge and jury on what is presented and what is not presented on any subject, including Dr. King? Now, I sent every Senator a copy of the report. I would not dare to speculate about how many people even opened it up.

Yet, another effort of the Commission is the “formalization of instruction on Dr. King in public and private schools, colleges, universities.” And I continue to quote: “The Commission sees an increasing need for the establishment of an educational materials clearinghouse on Dr. King.”

Clearinghouse? Does that mean that only the materials that this Commission clears will be used? I think there would be a few teachers around who would object to that. Let me continue to quote.

The clearinghouse will plan programs based on ongoing assessments of currently developed educational materials related to Dr. King, identify needs and improvements in curricula areas.

Do you see where this has taken us, Mr. President?

Maintain information on the current trends and educational practices and teaching techniques.

Wow!

And interact with State and local education agencies, principals, teachers, parents, educational associations, media, libraries, and other information dissemination sources.

Mercy!

We are bestowing a lot of power on this Commission, and we are going to propose to finance it more and more on a permanent basis.

Another primary function of the Commission has been to lobby State and local governments to establish a holiday. According to the report the Commission “began immediately upon its establishment to encourage State Governments to enact legislation establishing corresponding State holidays and to establish State holiday commissions designed to institutionalize the holiday in their States. The Commission encourages all States to

use the legislative process to establish the day”—meaning the holiday, I presume—“as a paid holiday for employees.”

Well now, I have been trying to think of what other governmental entity is financed in whole or in part upon which we bestow the authority to lobby, the Federal Government or any other government.

When I find the next one it will be a total of one.

Later the annual report states other examples of its lobbying activities.

... the Chairperson [of the Commission] plans to visit these 7 States for discussions with principal State officials and legislators regarding ways and means to officially establish the Holiday in their States.

All well and good, depending on how you feel about it. How do you feel about the taxpayer being required to finance a lobbying outfit in whole or in part?

But let us go further.

The Governor of each State will be asked to continue their State holiday commission or to create one, and allow their Commission to become a part of the Federal Commission’s new Council of State Holiday Commissions. Each Governor will also be asked to make a one-time contribution of \$500 to the Federal Commission.

I expect a lot of Governors will be awfully busy; if they are anything like Senators, they don’t want to give up anything of their own money. But I do not know about that, but I just speculate.

But to continue the report:

Mayors throughout the country will be asked to continue their local commission/committee or to create one. ... Each mayor will also be asked to make a one-time contribution of \$250 to the Federal Commission.

Continuing to quote from the annual report:

Efforts will continue to have the United Nations formerly—

They meant “formally”—

observe the National Holiday some special event or activity.

I read it just as it appears in the annual report. I am not sure what all that means. It is not clear to me. But let us continue to quote:

[The International Committee established three major objectives: (1) To encourage support for meaningful activities at foreign embassies in Washington, DC and their countries on the Holiday. ... Members of the committee actively promoted their objectives through correspondence and personal meetings with foreign ambassadors and other officials.

That is about as far as I am going right now. I have an armload of material which I want to share with the Senate, at least part of it. I will do that as time passes.

I might add, Mr. President, at the meeting this morning with Majority Leader MITCHELL, Minority Leader DOLE, and Senator NUNN we worked

out, I think, a modification of the present legislation. I hope the modification will be accepted because it will place a restriction on some of the Commission's activities and make it subject to the Federal Advisory Committee Act.

I want to say right now that Senator NUNN has been open-handed with me and I have tried to be with him in connection with this bill. He knows how I feel about it and I know how he feels about it.

I thank him and I certainly thank the distinguished majority leader and the distinguished minority leader for their cooperation and consideration in terms of the modification of the bill if indeed it occurs.

I will be back in a little while to offer the first amendment. Senator MITCHELL asked me to be prepared to lay down an amendment for this evening to be voted on tomorrow which I agreed to do.

There cannot be any votes today, you understand, because there are not enough Senators around. This is Monday, which is almost as bad as Friday around this place. And if we attempted to have a rollcall vote right now we would not get 51 votes, and under the Senate rule we would have to adjourn, which might be the best thing we could do for the American people.

Last week in North Carolina one of my friends said, "What are you doing home?" I said, "You did not know it but your liberties are safe. The Senate is not in session all this week."

Monday is the next thing to being in recess.

I yield the floor.

**THE PRESIDING OFFICER** [Mr. ROBB]. The Chair recognizes the floor manager, the Senator from Massachusetts.

**Mr. KENNEDY.** Mr. President, our majority leader can speak for himself, but I understand the Senate schedule was worked out between the majority leader and the Republican leader. So I would suggest if the Senator from North Carolina has some complaints about the scheduling of various events that he direct those to the Republican leader, since I understand that this program with regards to this particular measure has been worked out with the leadership.

It is, I must say, quite astounding that we have to take up this much of the Senate's time to address this particular issue, but the Senator from North Carolina has indicated he was desirous of doing so and so we will take up the Senate's time while there are so many other measures which are of such urgency and importance that we ought to have the opportunity to address.

Mr. President, I will just take very few moments now to address some of the areas which the Senator from

North Carolina has addressed. As I mentioned earlier, I respect the reasons and the position of the Senator from North Carolina, but since this legislation was introduced shortly after Martin Luther King's tragic loss he has been a firm opponent every step along the way.

When we addressed this issue on the debate on the floor of the U.S. Senate and now at this particular time when we are providing for continued authorization, 5 years of \$300,000, in authorization, this authorization will have to go to the appropriating committee as other authorizations will, and the appropriating committee will evaluate the various programs and the justifications for it and then we will have an opportunity to review that again, whether we are satisfied with that particular amount.

So with regards to the procedures, with regards to the precedents, Mr. President, we have seen ample number of precedents in terms of funding various commissions. As the Senator from North Carolina himself has pointed out, we have already appropriated some \$652,000 to celebrate the 500th anniversary of Christopher Columbus in an appropriate way. That obvious experience reaches the very core of the development of the founding of our country.

But I do not hear the Senator from North Carolina going after that particular authorization or that particular appropriation; nor has he gone after other kinds of appropriations.

We have allocated some \$50,000 to celebrate the centennial of President Eisenhower's 100th birthday. I support that as I have the Christopher Columbus proposal, but the Senator from North Carolina has not opposed those proposals.

There only appears to be one and that has to do with Martin Luther King.

Now we understand the position of the Senator from North Carolina right from the very beginning, in terms of the range of different measures, the civil rights measures, and he has his position and I understand it and I respect it. But we have to understand what his position has been and what it continues to be, and while he is talking about the various ways this body is playing fast and free with the American taxpayers, he has not been that willing to come to the floor on these particular issues on other particular commissions which have had authorizations and which have had appropriations, and I think it is important to understand that.

Second, Mr. President, the fact remains that many of us who supported the Martin Luther King holiday recognized that it was not only a recognition of the celebration of a particular holiday but it was also a recognition of the teachings, the values, and the posi-

tions of a very outstanding individual, who did receive the Nobel Peace Prize.

Mr. President, many of us who were there during the period of time when it was first introduced thought that most of those issues were going to be resolved, that this Nation was going to make progress in dealing with racism, injustice, and intolerance. We believed, perhaps naively, that when we tried to make some progress, legislatively and through reconciliations some time ago that we would not be back here 20 years later and still see the stains of racism and injustice in our society. But they are there and no one is suggesting that with just the authorization of this particular legislation we going to resolve it. We are not.

But what we are trying to reflect on is the fact that at a critical time in this country's history, when we were attempting to come to grips with the rawest aspect of segregation, that there was an individual who brought us to our senses and did it in a nonviolent way and he appealed to the values and the conscience of the Nation rather than to the club or the riot or the blackjack or other weapons. I think that those are tragic lessons that we need to continue to be reminded of.

It seems to me that if this holiday, as I mentioned before, can be a moment which does not remind us of those lessons, and if there can be initiatives that take place across this country in particular communities or in particular States that are particularly effective, if this Commission can share that experience with other States and other communities to the benefit of our common experience, I think it is an investment well made.

Mr. President, I am prepared at this time either to debate amendments or to continue to debate the merits of the bill itself. Mr. President, I suggest the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

**Mr. DOLE.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. DOLE.** Mr. President, I would like to express my support for S. 431 which reauthorizes the Martin Luther King, Jr. Federal Holiday Commission for an additional 5 years and provides for an annual appropriation of \$300,000.

I would say, as I say later in my remarks, that I recall standing on this floor in 1986, I believe it was, saying that we were asking that a Commission be authorized and financed with contributions from private sources. Certainly that has been my prefer-

ence, and I made that clear to Mrs. King and others.

I have tried to help raise money through private sources. I said to Mrs. King recently that I would be happy to try to help her in continuing private efforts. I think that is the best way to go.

But, in any event, having been a member of the Commission since 1986, I have seen the Commission do many good things. Many of these good things were alluded to this morning by my friend and colleague from Georgia, the sponsor of this bill, Senator NUNN. The Commission has encouraged States to recognize and celebrate the King holiday. There are 45 States now, including my own State of Kansas, that officially observe the holiday. Senator NUNN also talked about the number of foreign countries which have taken an interest in the celebration.

In addition, the Commission has distributed hundreds of thousands of posters and pamphlets describing the work and the life of Dr. King. The Commission has also responded to thousands and thousands of inquiries from across the country. And it has sponsored an annual holiday parade in Atlanta that has grown in size and popularity each year.

So I think in a couple of short years, the Commission can be commended—the members of the Commission, particularly Mrs. King, who is the driving force behind the Commission—for trying to fulfill its original mandate to promote the observance of the King holiday throughout the United States and to assist and advise Federal, State, and local governments in the holiday's observance. That was the purpose of the bill. That was the purpose of the Commission.

I think a quick look at the latest annual report would demonstrate how much the Commission has accomplished in its brief 4 years of existence. Much more needs to be done, however. Many young people and the younger generations are not aware of the important contributions that Dr. King made to this country; not even aware of the sacrifices he made; not aware that these contributions benefited both black and white America. All these contributions should not be forgotten.

As I said, I am not crazy about public funding. To me, it is sort of a foot in the door for somebody else. Next year, somebody may want more money and more money and more money.

I know that there have been some indications that there was precedent for this. I could not find, however, any direct precedent for public funding in the other Federal holidays.

But, in any event, I think that the public funding here is a small amount—\$300,000 may be a lot of

money for some, but, as one of my colleagues pointed out earlier in the debate, the State of New York is spending almost double that amount on a statewide King commission.

So I can certainly understand some of the objections raised today by my distinguished colleague from North Carolina, Senator HELMS.

Ideally the Commission should be funded exclusively from donations from private sources. I must admit one of the reasons I supported the original legislation that established the Commission was the fact that I could stand here and say the Commission would be financed entirely with private donations. And I have been, in some small part, involved in that effort to try to raise money for the Commission.

It is not too difficult for the Martin Luther King, Jr. Center to raise money, but it is pretty difficult for the Commission. We cannot ignore the Commission's difficult financial situation. While the Commission has managed to operate with a positive accounting balance over the past several years, it is just squeaking by. Private financing has not been enough. That is why I have come to the conclusion that some small amount of Federal funds is now necessary. I disagree with the House, though, which made the reauthorization and funding of the Commission permanent. I think Senator NUNN is correct. Let us have a 5-year reauthorization at the level of funding he suggests. Then we can take a look at it.

Maybe there will be some way, in the next year or sometime shortly thereafter, to find a way to fund the Commission privately.

As I have said, I made a personal pledge to Mrs. King to try to enlist private support for the Commission and I hope and I know that other Senators will join me in that effort. Perhaps we can make public financing unnecessary as early as next year. If that happens, I am certain that those who are concerned about the Commission and its funding will welcome such an event.

I would also like to add another point here. As a recipient of public funds, the Commission will have an additional responsibility, a responsibility to ensure that public funds are not misused and are used for the purpose for which they are appropriated, for the purpose intended by Congress. This morning a number of my colleagues discussed at least one amendment. I think there was general agreement on it. Hopefully we can work it out. It may be offered today or tomorrow, to make this responsibility clear.

This amendment will be designed to ensure that the Commission engages only in those activities that actually promote the King holiday and not activities, for example, that encourage

student training in civil disobedience or how to conduct a protest.

As I look back at the original intent of the Commission, the only purpose I can find was, "to encourage appropriate ceremonies and activities throughout the United States relating to the first observance of the Federal legal holiday honoring Martin Luther King, Jr., which occurs on January 20, 1986," and to "provide advice and assistance to Federal, State, and local governments and to private organizations with respect to observance of such holiday." That is it. If the Commission is going to be financed with public funds, in my view, the Commission ought to limit itself to these activities. That means no unlimited lobbying, no schools on how to conduct civil disobedience or protests. And I would hope we could agree on such an amendment if and when it is offered. And I am certain it will be offered.

It seems to me once you accept Federal funding you have to accept the responsibility. I do not think that is too much to ask.

Also, it is my understanding that an amendment will be offered, maybe part of the same amendment, which would make the provisions of the Federal Advisory Committee Act apply to the Commission. In other words, as long as the Commission receives public funding, there is no reason for the Federal Advisory Committee Act to apply to this Commission. But now, with public funding, it should apply. It is very helpful and does require some accounting. I think that is the way it should be. I do not know of any disagreement there.

But, I would say also that during the Senate debate on the King holiday itself, which was controversial, as the Senator from Massachusetts said earlier, I had the privilege on the Republican side of managing that bill. We were in the majority. I was a member of the Judiciary Committee. It was controversial to many Senators and to many people around the country. We made a pledge then that we were going to make certain that we did not spend a lot of Federal money.

But I said during the debate, and I would quote again: This is some 5 or 6 years ago:

Dr. King lost his life but no one can take away his legacy. Like the men in olive grey and brown khaki whom we honor on Veterans Day, like the man in a blue collar or women in the classroom whom we salute on Labor Day, like so many others who have in their own way helped close the gap between America's promises and her performance, he risked everything for what he believed in. It is this belief we commemorate, as well as the believer; it is the struggle for opportunity as old as America herself to which we pledge ourselves anew.

I still believe what I said 5 years ago. I believe that the Commission continues to have an important role in pro-

moting the vision and the legacy of Dr. Martin Luther King, Jr.

I would hope, along with the majority leader—I think I can speak for him—that we can dispose of this matter quickly tomorrow and then move onto the budget resolution and complete action on that early this week.

I would also make a part of the record, because I am on record as saying private funding is the right way to go, a statement I made on April 17, 1986. I will quote from my statement:

It should be emphasized that no Federal money is appropriated for the Commission; rather, it operates entirely on donated funds. Over the past year, a number of businesses and organizations contributed money to the work of the Commission and under the extension legislation, the Commission would continue to be funded from these sources.

That was my hope then. As I have said, we have to deal with reality. It has not been easy to raise money for the Commission. We made a number of efforts. I know Mrs. King and others have; House Members, Members of the Senate, members in the private sector. But I am still hopeful that together we can find resources which would obviate the need for any Federal funding at all. Maybe this will occur after the first year of this 5-year reauthorization.

So, Mr. President, I support the legislation and I would hope there would be an amendment along the lines I outlined. It was discussed this morning in the leader's office, with the principal sponsor of the proposal, Senator NUNN, myself, Senator HELMS, and the majority leader. I think that it may be an amendment we can agree upon.

I am not so certain about some of the other amendments of Senator HELMS, particularly the amendment to strike out Federal funding. I cannot support that amendment even though, as I said, I am on record earlier hoping that we could continue this Commission without public funds.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. Mr. President, as the distinguished Senator from Kansas, Mr. DOLE will recall, our agreement was this morning, and it was suggested by the majority leader, that I lay down an amendment which I am prepared to do. As a matter of fact, I will do it.

#### AMENDMENT NO. 65

(Purpose: To extend the Commission for 2 years)

Mr. HELMS. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 65.

At the end of the bill, add the following: Notwithstanding any provision of this Act, the Commission shall cease to exist two years after the date of enactment of this Act.

Mr. HELMS. Mr. President, so we have something to work on in the morning, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 66 TO AMENDMENT NO. 65

(Purpose: To delete funding for the Commission)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for it to be stated.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 66 to amendment numbered 65.

Strike all after the first occurrence of word "Act," and insert in lieu thereof the following:

No funds shall be appropriated for the Commission.

Mr. HELMS. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Kalbaugh, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations

which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### AGREEMENT BETWEEN THE UNITED STATES AND THE REPUBLIC OF KOREA CONCERNING FISHERIES OFF THE COASTS OF THE UNITED STATES—MESSAGE FROM THE PRESIDENT—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which, pursuant to 16 U.S.C. 1823(b), was referred jointly to the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations:

*To the Congress of the United States:*

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 U.S.C. 1801 *et seq.*), I transmit herewith an agreement effected by exchange of notes February 17, 1989, and March 27, 1989, extending for the period of 2 years from July 1, 1989, until July 1, 1991, the Agreement between the Government of the United States of America and the Government of the Republic of Korea Concerning Fisheries off the Coasts of the United States, signed at Washington on July 26, 1982, as amended and extended. The exchange of notes together with the present agreement constitute a governing international fishery agreement within the meaning of section 201(c) of the act.

Several U.S. fishing industry interests have urged prompt consideration of this agreement. Because of the importance of our fishing relationship with Korea, I urge the Congress to give favorable consideration to this agreement at an early date.

Since 60 calendar days of continuous session, as required by the legislation, may not be available before the current agreement is scheduled to expire, I recommend the Congress consider passage of a joint resolution.

GEORGE BUSH.

THE WHITE HOUSE, May 1, 1989.

#### MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 3, 1989, the Secretary of the Senate, on April 25, 1989, during the recess of the Senate, received a message from the House of Representatives announcing that the House has passed the following joint resolutions, without amendments:

S.J. Res. 25. Joint resolution to designate the week of May 7, 1989, through May 14, 1989, as "Jewish Heritage Week";

S.J. Res. 52. Joint resolution to express gratitude for law enforcement personnel;

S.J. Res. 60. Joint resolution to designate the period commencing on May 1, 1989, and ending on May 7, 1989, as "National Drinking Water Week";

S.J. Res. 84. Joint resolution to designate April 30, 1989, as "National Society of the Sons of the American Revolution Centennial Day"; and

S.J. Res. 92. Joint resolution to invite the houses of worship of this Nation to celebrate the bicentennial of the inauguration of George Washington, the first President of the United States, by ringing bells at 12 noon on Sunday, April 30, 1989.

Under the authority of the order of the Senate of January 3, 1989, the Secretary of the Senate, on April 26, 1989, during the recess of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the bill (H.R. 678) to make a correction in the Education and Training for a Competitive America Act of 1988.

#### ENROLLED JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had signed the following enrolled joint resolutions:

S.J. Res. 25. Joint resolution to designate the week of May 7, 1989, through May 14, 1989, as "Jewish Heritage Week";

S.J. Res. 52. Joint resolution to express gratitude for law enforcement personnel;

S.J. Res. 84. Joint resolution to designate April 30, 1989, as "National Society of the Sons of the American Revolution Centennial Day";

S.J. Res. 92. Joint resolution to invite the houses of worship of this Nation to celebrate the bicentennial of the inauguration of George Washington, the first President of the United States, by ringing bells at 12 noon on Sunday, April 30, 1989; and

H.J. Res. 124. Joint resolution to recognize the 75th anniversary of the Smith-Lever Act of May 8, 1914, and its role in establishing our Nation's system of State Cooperative Extension Services.

Under the authority of the order of the Senate of January 3, 1989, the enrolled joint resolutions were signed on April 27, 1989, during the recess of the Senate, by the President pro tempore [Mr. Byrd].

#### MESSAGES FROM THE HOUSE

At 1:09 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 840. An act to authorize appropriations for fiscal year 1990 for the Federal Maritime Commission, and for other purposes;

H.R. 1223. An act to authorize appropriations to carry out the National Oceanic and Atmospheric Administration Marine Fisheries Program Act through fiscal year 1992;

H.R. 1224. An act to authorize appropriations to carry out the Anadromous Fish Conservation Act through fiscal year 1992;

H.R. 1225. An act to authorize appropriations to carry out the Interjurisdictional

Fisheries Act of 1986 through fiscal year 1992, and for other purposes; and

H.R. 1763. An act to authorize expenditures for fiscal year 1990 for the operation and maintenance of the Panama Canal, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 50. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to commemorate the days of remembrance of victims of the Holocaust.

The message further announced that pursuant to the provisions of House Concurrent Resolution 96, One Hundred First Congress, the Speaker appoints the following Members on the part of the House to attend the ceremonies commemorating the 200th anniversary of the implementation of the Constitution as the form of Government of the United States, the convening of the First Congress, the inauguration of George Washington as the first President of the United States, and the proposal of the Bill of Rights as the first 10 amendments to the Constitution: Mrs. BOGGS, Mr. CRANE, Mr. SCHEUER, Mr. SOLARZ, Mr. WEISS, Mr. GREEN, Mr. ACKERMAN, Mr. DORNAN of California, Mr. HOCHBRUECKNER, Mr. ENGEL, and Mrs. LOWEY of New York.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled bill and joint resolution:

H.R. 678. An act to make a correction in the Education and Training for a Competitive America Act of 1988; and

S.J. Res. 60. Joint resolution to designate the period commencing on May 1, 1989, and ending on May 7, 1989, as "National Drinking Water Week."

The enrolled bill and joint resolution were subsequently signed by the President pro tempore [Mr. Byrd].

#### MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 840. An act to authorize appropriations for fiscal year 1990 for the Federal Maritime Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation;

H.R. 1223. An act to authorize appropriations to carry out the National Oceanic and Atmospheric Administration Marine Fisheries Program Act through fiscal year 1992; to the Committee on Commerce, Science, and Transportation;

H.R. 1224. An act to authorize appropriations to carry out the Anadromous Fish Conservation Act through fiscal year 1992; to the Committee on Commerce, Science, and Transportation;

H.R. 1225. An act to authorize appropriations to carry out the Interjurisdictional Fisheries Act of 1986 through fiscal year 1992, and for other purposes; to the Committee on Commerce, Science, and Transportation; and

H.R. 1763. An act to authorize expenditures for fiscal year 1990 for the operation and maintenance of the Panama Canal, and for other purposes; to the Committee on Armed Services.

#### ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that he had presented to the President of the United States the following enrolled joint resolutions:

On April 27, 1989:

S.J. Res. 25. Joint resolution to designate the week of May 7, 1989, through May 14, 1989, as "Jewish Heritage Week";

S.J. Res. 52. Joint resolution to express gratitude for law enforcement personnel;

S.J. Res. 84. Joint resolution to designate April 30, 1989, as "National Society of the Sons of the American Revolution Centennial Day"; and

S.J. Res. 92. Joint resolution to invite the houses of worship of this Nation to celebrate the bicentennial of the inauguration of George Washington, the first President of the United States, by ringing bells at 12 noon on Sunday, April 30, 1989.

On May 1, 1989:

S.J. Res. 60. Joint resolution to designate the period commencing on May 1, 1989, and ending on May 7, 1989, as "National Drinking Water Week."

#### REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under the authority of the order of the Senate of April 19, 1989, the following reports of committees were submitted on April 27, 1989, during the recess of the Senate:

By Mr. SASSER, from the Committee on the Budget, without amendment:

S. Con. Res. 30. An original concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1990, 1991, and 1992 (with additional and minority views) (Rept. No. 101-20).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DeCONCINI:

S. 869. A bill to amend the Internal Revenue Code to restore the deduction for capital gains of individuals, to ensure that the rate of tax on long-term capital gains of individuals does not exceed 21 percent, and for other purposes; to the Committee on Finance.

By Mr. GORE:

S. 870. A bill to label consumer products containing substances that contribute to the depletion of the ozone layer in the upper atmosphere, to regulate the sale, distribution, and use of such substances in consumer products and services in and affecting interstate commerce, to recapture and recycle such substances and for other purposes; to the Committee on Commerce, Science, and Transportation.

S. 871. A bill to institute a manufacturers' excise tax on certain ozone-depleting chemi-

cals; to partially direct revenues from such excise tax toward an Ozone Layer Conservation Trust Fund for developing chemical and technological alternatives to ozone-depleting chemicals; and for other purposes; to the Committee on Finance.

S. 872. A bill to phaseout production of certain ozone-depleting chemicals; to institute a policy promoting safe alternatives to ozone-depleting chemicals; and for other purposes; to the Committee on Environment and Public Works.

By Ms. MIKULSKI:

S. 873. A bill to promote the integration of women in the development process in developing countries; to the Committee on Foreign Relations.

By Mr. FORD:

S. 874. A bill to establish national voter registration procedures for Presidential and Congressional elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. KASTEN (for himself and Mr. LEAHY):

S. 875. A bill to prohibit United States contributions to the United Nations or any of its affiliated organizations if full membership as a state is granted to any organization or group that does not have the internationally recognized attributes of statehood; to the Committee on Foreign Relations.

By Mr. HELMS:

S. 876. A bill to temporarily suspend the duty on thiothiamine hydrochloride; to the Committee on Finance.

By Mr. DECONCINI:

S. 877. A bill to require the posting on certain aircraft of information relating to the date of manufacture of the aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself and Mr. DOLE):

S.J. Res. 112. Joint resolution designating May 29, 1989, as the "National Day of Remembrance for the victims of the USS Iowa"; to the Committee on the Judiciary.

By Mr. DIXON (for himself, Mr. FORD, Mr. D'AMATO and Mr. SHELBY):

S.J. Res. 113. Joint resolution prohibiting the export of technology, defense articles, and defense services to codevelop or coproduce the FSX aircraft with Japan; to the Committee on Foreign Relations.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DECONCINI:

S. 869. A bill to amend the Internal Revenue Code to restore the deduction for capital gains of individuals, to ensure that the rate of tax on long-term capital gains of individuals does not exceed 21 percent, and for other purposes; to the Committee on Finance.

### RESTORATION OF CAPITAL GAINS DEDUCTION

● Mr. DECONCINI. Mr. President, the elimination of a capital gains differential was one of the major changes instituted in the 1986 Tax Reform Act. The 1986 repeal of the capital gains differential has created a host of new problems—problems that threaten the competitiveness of the American economy.

The elimination of a capital gains differential has created a formidable

barrier for long-term investors. It has resulted in a climate that is both economically and psychologically damaging. At a time when world markets are becoming ever more competitive, America can ill afford this. The repeal of the capital gains differential has eroded the Nation's investment base and has reduced confidence in the long-term profitability of the American market.

Additionally, treating capital gains as ordinary income results in unfair taxation for the individual investor. Without a capital gains differential, taxes are determined by an investment's inflationary increases, not its actual increase in value. The unfairness of this present situation must be rectified.

Mr. President, with these considerations and arguments in mind, I am reintroducing legislation that will reduce the effective tax rate on capital gains to its pre-1986 Tax Reform Act level. The bill will reestablish a capital gains differential of 25 percent and thus ensure that no taxpayer pays more than a top effective rate of 21 percent on capital gains income.

I ask unanimous consent that the text of the bill be printed in the RECORD, at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 869

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. 25 PERCENT DEDUCTION FOR CAPITAL GAINS.

(a) IN GENERAL.—Part I of subchapter P of chapter 1 of the Internal Revenue Code of 1986 (relating to treatment of capital gains) is amended by inserting after section 1201 the following new section:

#### "SEC. 1202. DEDUCTION FOR CAPITAL GAINS.

"(a) IN GENERAL.—If for any taxable year a taxpayer other than a corporation has a net capital gain, there shall be allowed as a deduction from gross income an amount equal to 25 percent of the amount of such net capital gain.

"(b) SPECIAL RULE FOR ESTATES AND TRUSTS.—In the case of an estate or trust, the deduction shall be computed by excluding the portion (if any) of the gains for the taxable year from sales or exchanges of capital assets which, under sections 652 and 662 (relating to inclusions of amounts in gross income of beneficiaries of trusts), is includable by the income beneficiaries as gain derived from the sale or exchange of capital assets."

(c) MINIMUM TAX.—Section 56(b) of such Code (relating to adjustments applicable to individuals) is amended by adding at the end thereof the following new paragraph:

"(4) CAPITAL GAINS DEDUCTION.—No deduction shall be allowed under section 1202."

#### (c) CONFORMING AMENDMENTS.—

(1) Section 62(a) of such Code (defining adjusted gross income) is amended by adding after paragraph (12) the following new paragraph:

"(13) LONG-TERM CAPITAL GAINS.—The deduction allowed by section 1202."

(2) Section 163(d)(4) of such Code (defining net investment income) is amended by adding at the end thereof the following new subparagraph:

"(F) NET CAPITAL GAINS EXCLUDED FROM GROSS INCOME.—The net gain described in subparagraph (B)(ii) shall be reduced by the amount excluded from gross income under section 1202."

(3) Section 170(e)(1) of such Code (relating to certain contributions of ordinary income and capital gain property) is amended by striking out "long-term capital gain" the second place it appears and inserting "long-term capital gain (reduced by the deduction allowed under section 1202)".

(4) Section 172(d)(2) of such Code (relating to modifications with respect to net operating loss deduction) is amended to read as follows:

"(2) CAPITAL GAINS AND LOSSES OF TAXPAYERS OTHER THAN CORPORATIONS.—In the case of a taxpayer other than a corporation—

"(A) the amount deductible on account of losses from sales or exchanges of capital assets shall not exceed the amount includable on account of gains from sales or exchanges of capital assets; and

"(B) the deduction for long-term capital gains provided by section 1202 shall not be allowed."

(5) Subparagraph (B) of section 172(d)(4) of such Code is amended by inserting " (2)(B)," after "paragraphs (1)".

(6)(A) Section 221 of such Code (relating to cross reference) is amended to read as follows:

#### "SEC. 221. CROSS REFERENCES.

"(1) For deduction for long-term capital gains in the case of a taxpayer other than a corporation, see section 1202.

"(2) For deductions in respect of a decedent, see section 691."

(B) The table of sections for part VII of subchapter B of chapter 1 of such Code is amended by striking out "reference" in the item relating to section 221 and inserting "references".

(7) Paragraph (4) of section 642(c) of such Code (relating to adjustments for credits and deductions) is amended to read as follows:

"(4) ADJUSTMENTS.—To the extent that the amount otherwise allowable as a deduction under this subsection consists of gain from the sale or exchange of capital assets held for more than 1 year, proper adjustment shall be made for any deduction allowable to the estate or trust under section 1202 (relating to deduction for excess of capital gains over capital losses). In the case of a trust, the deduction allowed by this subsection shall be subject to section 681 (relating to unrelated business income)."

(8) Paragraph (3) of section 643(a) of such Code (relating to distribution of net income) is amended by adding at the end thereof the following new sentence: "The deduction under section 1202 (relating to deduction for excess capital gains over capital losses) shall not be taken into account."

(9) Paragraph (4) of section 691(c) of such Code (relating to deduction for estate tax) is amended by striking out "For purposes of sections 1(j), 1201, and 1211" and inserting "For purposes of sections 1(j), 1201, 1202, and 1211".

(10) The second sentence of paragraph (2) of section 871(a) of such Code (relating to capital gains of aliens present in the United States 183 days or more) is amended by inserting "such gains and losses shall be determined without regard to section 1202 (relat-

ing to deduction for capital gains) and" after "except that".

(11) Section 1402(i)(1) of such Code (relating to special rules for options and commodities dealers) is amended to read as follows:

"(1) IN GENERAL.—In determining the net earnings from self-employment of any options dealer or commodities dealer—

"(A) notwithstanding subsection (a)(3)(A), there shall not be excluded any gain or loss (in the normal course of the taxpayer's activity of dealing in or trading section 1256 contracts) from section 1256 contracts or property related to such contracts, and

"(B) the deduction provided by section 1202 shall not apply."

(12) The table of sections for part I of subchapter P of chapter 1 of such Code is amended by inserting after the item relating to section 1201, the following new item: "Sec. 1202. Deduction for capital gains."

#### SEC. 2. MAXIMUM CAPITAL GAINS RATE OF 21 PERCENT.

(a) IN GENERAL.—Subsection (j) of section 1 of the Internal Revenue Code of 1986 (relating to maximum capital gains rate) is amended to read as follows:

"(j) MAXIMUM CAPITAL GAINS RATE.—If a taxpayer has a net capital gain for any taxable year, then the tax imposed by this section shall not exceed the sum of—

"(1) the lesser of—

"(A) the tax computed at the rates and in the same manner as if this subsection had not been enacted on the taxable income, or

"(B) a tax equal to the sum of—

"(i) the tax computed at the rates and in the same manner as if this section had not been enacted on the taxable income reduced by the amount of net capital gain, plus

"(ii) a tax of 21 percent of the net capital gain, plus

"(2) the amount of the increase determined under subsection (g)."

(b) PHASEOUT OF 15-PERCENT RATE AND PERSONAL EXEMPTION NOT TO APPLY TO CAPITAL GAINS.—Subparagraph (A) of section 1(g)(1) of such Code (relating to phaseout of 15-percent rate and personal exemption) is amended by inserting ", reduced by the amount of net capital gain" after "taxable income".

#### SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to taxable years beginning after December 31, 1988.●

By Mr. GORE:

S. 870. A bill to label consumer products containing substances that contribute to the depletion of the ozone layer in the upper atmosphere, to regulate the sale, distribution, and use of such substances in consumer products and services in and affecting interstate commerce, to recapture and recycle such substances and for other purposes; to the Committee on Commerce, Science, and Transportation.

S. 871. A bill to institute a manufacturers' excise tax on certain ozone-depleting chemicals; to partially direct revenues from such excise tax toward an Ozone Layer Conservation Trust Fund for developing chemical and technological alternatives to ozone-depleting chemicals; and for other purposes; to the Committee on Finance.

S. 872. A bill to phaseout production of certain ozone-depleting chemicals; to institute a policy promoting safe al-

ternatives to ozone-depleting chemicals; and for other purposes; to the Committee on Environment and Public Works.

#### OZONE LEGISLATION

Mr. GORE. Mr. President, I am introducing three pieces of legislation today, all of which are designed to complement a larger bill which I introduced on the first day of this session of Congress called the World Environment Policy Act of 1989. Since introducing that legislation, I have spent substantial additional time investigating aspects of the global ecological crisis. I intend to offer these specific bills as amendments to the larger bill at a later time, given the opportunity. But I wish to introduce them in separate form now. They all deal with a particular aspect of the global ecological crisis.

Many who have examined this crisis believe that one of the first actions we should take is to ban throughout the world, if possible, a particular category of chemicals called chlorofluorocarbons and a few other chemicals that are similar in nature. These chemicals are destroying the stratospheric ozone layer, which protects the life on Earth from dangerous ultraviolet radiation. These same chemicals are also responsible for approximately 20 percent of the greenhouse effect, or the global warming problem which, it is generally agreed, is the most serious environmental crisis the world has ever faced.

So, this three-part package of legislation is designed to help protect the stratospheric ozone layer and the world's climate system. The first bill, entitled the Consumer Ozone Protection Act of 1989, would in several cases eliminate from commerce the sale of certain consumer products that have been shown to deplete the stratospheric ozone layer. In other cases, it would require labeling and regulation of these products. In addition, this bill would promote the development of a chlorofluorocarbon and halon reclamation plan for the purpose of encouraging recapture and recycling of ozone-depleting substances.

The second bill, the Ozone Layer Conservation Act of 1989, would provide for a manufacturers' excise tax on certain chemicals that deplete the stratospheric ozone layer. This bill would establish an Ozone Layer Conservation Trust Fund in the Treasury Department and would direct that half of the revenues from the excise tax be placed into the trust fund, for the purpose of promoting research, development, and market incentives for technological alternatives to ozone-depleting chemicals.

The third bill, the Upper Ozone Chemicals Act of 1989, provides for a 5-year phaseout of six specific substances that deplete the stratospheric ozone layer, CFC-11, CFC-12, CFC-

113, halon-1211, halon-1301, and carbon tetrachloride. It would also provide for a 10-year phaseout, of other somewhat less potent ozone-depleting substances, CFC-22, CFC-114, CFC-115, methyl chloroform, and methylene chloride. There are minor exceptions for uses that are shown to have a direct and needed applications for medical and national security reasons. This is a minor category where these chemicals are concerned. There are provisions for certifying that nations from which we import products that contain ozone-depleting chemicals have a similar phaseout program in place, and a requirement for safe disposal of ozone-depleting substances. Finally, the bill calls for developing a safe alternatives policy, for replacing the substances to be phased out with chemicals, product substitutes, or alternative manufacturing processes that reduce overall risk to public health and the environment.

Mr. President, tomorrow the nations which signed the Montreal protocol ratified by this body in the last Congress will begin meeting in Helsinki to consider new, tougher restrictions as amendments to that international protocol. I hope the participants in the international meeting are successful in their discussions this week.

The United States should, regardless, take the lead with measures like the ones that I have introduced today, and like the legislation which I introduced on the first day of this session of Congress.

Mr. President, I ask unanimous consent that the text of the bills and a summary of the provisions of the bills be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 870

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Consumer Ozone Protection Act of 1989".

#### SEC. 2. FINDINGS.

The Congress finds as follows:

(1) The United States can demonstrate to the world its commitment to conserve the ozone layer of the upper atmosphere by instituting market and regulatory strategies that—

(A) phaseout certain consumer products that unnecessarily release ozone-depleting substances;

(B) immediately reduce emissions of ozone-depleting substances;

(C) encourage rapid replacement of ozone-depleting substances with safe substitutes and alternative technologies; and

(D) encourage efficient recapture and recycling of ozone-depleting substances.

(2) The highest priority must be given to developing and deploying safe alternative substances and technologies to replace ozone-depleting substances within five years.

(3) Development of alternative substances and technologies to replace ozone-depleting substances will be hastened by effective government-industry cooperation to find such alternatives, including promotion of research, development, and market incentives for such alternatives.

#### SEC. 3. NATIONAL GOAL.

It is the national goal under this Act to—

- (1) label, regulate the servicing of, and eliminate certain consumer products that contain manmade substances with the potential for depleting ozone in the upper atmosphere; and

- (2) promote development of a Chlorofluorocarbon and Halon Reclamation Plan for the purpose of encouraging the recapture and recycling of such substances.

#### SEC. 4. DEFINITIONS.

As used in this Act:

(1) The term "alternative technologies" means any technology that performs a service, without the use of ozone-depleting substances listed under section 10 as components of its manufacture or operation, which was previously performed by technologies that require the use of such ozone-depleting substances as components of their manufacture or operation.

(2) The term "chlorofluorocarbon recapture equipment" means equipment that has been approved for the recapture of chlorofluorocarbons from stationary air conditioners, refrigerators, and freezers.

(3) The term "chlorofluorocarbon recycling facility" means any facility which accepts chlorofluorocarbons for the purpose of recycling them through equipment that meets purity standards of the Air Conditioning and Refrigeration Institute for the purification of chlorofluorocarbons from stationary air conditioners, refrigerators, and freezers.

(4) The term "commerce" means—

(A) commerce between a place in a State and any place outside that State;

(B) commerce within the District of Columbia or any territory or possession of the United States; and

(C) commerce which affects commerce described in subparagraph (A) or (B).

(5) The term "consumer products" means consumer products offered for sale at the wholesale or retail level.

(6) The term "manufactured substance" means any organic or inorganic chemical of a particular molecular identity, or any mixture, that has been manufactured for commercial purposes.

(7) The term "mobile air conditioner" means an air conditioner designed for installation in a motor vehicle.

(8) The term "person" means an individual, corporation (including a government corporation), partnership, firm, joint stock company, trust, association, or any other private entity, or any officer, employee, agent, department, or instrumentality of the Federal Government, or of any State or political subdivision thereof (including any interstate body), or of any foreign government (including any international instrumentality).

(9) The term "Secretary" means the Secretary of Commerce.

(10) The term "State" means any of the States of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States.

#### SEC. 5. MOBILE AIR CONDITIONERS.

(a) Within eighteen months after the date of enactment of this Act, any person who installs, services, or repairs mobile air conditioners shall use chlorofluorocarbon recapture

equipment and shall ensure that the recaptured chlorofluorocarbons are, in a timely manner, picked up and delivered to a chlorofluorocarbon recycling facility. The States shall establish phased schedules for the acquisition of such equipment by establishments carrying out such installation, service, or repair. The schedules shall provide for early acquisition by high-volume establishments and subsequent acquisition by lower-volume establishments, and shall ensure that all such establishments have chlorofluorocarbon recapture equipment in place within eighteen months after the date of enactment of this Act.

(b) Within ninety days after the date of enactment of this Act, no person shall sell or distribute, or offer for sale or distribution, in commerce any chlorofluorocarbons suitable for use in mobile air conditioners in containers smaller than thirty pounds, unless the container bears a warning label as specified in section 8.

(c) Within nine months after the date of enactment of this Act, no person shall sell or distribute, or offer for sale or distribution, in commerce chlorofluorocarbons suitable for use in mobile air conditioners in containers smaller than thirty pounds. The States shall issue regulations providing for a phaseout of the sale of chlorofluorocarbons in such containers in the period within six months after the date of enactment of this Act.

(d) Within nine months after the date of enactment of this Act, no person shall recharge mobile air conditioners with chlorofluorocarbons, without first testing the mobile air conditioner system for leaks and repairing any leaks found in such system.

#### SEC. 6. FIRE EXTINGUISHERS FOR CONSUMER APPLICATIONS.

Within nine months after the date of enactment of this Act, no person shall sell or distribute, or offer for sale or distribution, in commerce fire extinguishers that contain halons or any ozone-depleting substances listed under section 10 of this Act, except for applications required by Federal law.

#### SEC. 7. NONESSENTIAL CONSUMER PRODUCTS CONTAINING CHLOROFUOROCARBONS.

Within six months after the date of enactment of this Act, no person shall sell or distribute, or offer for sale or distribution, in commerce chlorofluorocarbon-propelled plastic party streamers and noise horns, chlorofluorocarbon-containing cleaning fluids for electronic and photographic equipment, or any other consumer products which are capable of releasing into the atmosphere substances listed under section 10 of this Act and are determined by the Secretary to be nonessential.

#### SEC. 8. LABELING REQUIREMENT.

(a) REQUIREMENT.—Any consumer product that contains, is produced with, or is produced from a substance listed under section 10 of this Act shall be labeled in accordance with regulations issued by the Consumer Product Safety Commission under subsection (c) with the appropriate label, as follows:

(1) If the consumer product contains a substance listed under section 10: "GOVERNMENT WARNING: This Product is Manufactured With (insert name of listed substance), Which Destroys the Earth's Protective Ozone Layer, and Disrupts the Earth's Climate. Destroying the Ozone Layer Greatly Increases the Risk of Skin Cancer and Harms Natural Systems, Including Food Production."

(2) If the consumer product is manufactured by a process that involves the use of a

substance listed under section 10: "GOVERNMENT WARNING: This Product is Manufactured With (insert name of listed substance), Which Destroys the Earth's Protective Ozone Layer, and Disrupts the Earth's Climate. Destroying the Ozone Layer Greatly Increases the Risk of Skin Cancer and Harms Natural Systems, Including Food Production."

(3) If the consumer product is produced from a substance listed under section 10: "GOVERNMENT WARNING: This Product Is Produced From (insert name of listed substance), Which Destroys the Earth's Protective Ozone Layer, and Disrupts the Earth's Climate. Destroying the Ozone Layer Greatly Increases the Risk of Skin Cancer and Harms Natural Systems, Including Food Production."

(b) PROHIBITION.—Effective nine months after the date of enactment of this Act, no person shall sell or distribute, or offer for sale or distribution, in commerce any consumer product required to be labeled under this section unless such product meets the requirements of this section and any regulations issued thereunder.

(c) REGULATIONS.—The Consumer Product Safety Commission shall issue regulations to implement subsection (a) within three months after the date of enactment of this Act. The regulations shall require the appropriate label to be prominently displayed on the consumer products subject to this section, and to be clearly visible to persons who purchase the product at retail.

(d) ENFORCEMENT.—A product that is not labeled in accordance with this section shall be considered a misbranded hazardous substance, subject to the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.), except that the penalty for failure to label shall be a fine of 20 percent of the value of the product, a term of imprisonment of one year, or both.

#### SEC. 9. CHLOROFUOROCARBON AND HALON RECLAMATION.

(a) RECLAMATION PLAN.—Within eighteen months after the date of enactment of this Act, the Secretary shall issue a Chlorofluorocarbon and Halon Reclamation Plan. The Plan shall provide for the most effective way of ensuring widespread reclamation, recycling, or regulated disposal of all substances listed under section 10 of this Act, contained in more than de minimis amounts in any consumer product or other item sold in commerce. The goal of the Plan shall be to minimize releases of such substances and to otherwise provide maximum environmental benefit. The Secretary shall consider at a minimum, the following:

(1) a deposit fee system, similar to those employed for bottle and can recycling in certain States, in which deposit fees would be charged on consumer products and other items containing such substances, the deposit fees would be refunded upon return for recycling or disposal of such substances or of items containing such substances, and such products and other items would bear labels advising of such refundable deposit fees;

(2) the return to, and acceptance by, retail merchants or their agents for purposes of pickup and delivery of such consumer products and other items; and

(3) government-operated local or regional collection facilities or services.

(b) PROHIBITION.—Effective twelve months after the date of enactment of this Act, no person shall sell or distribute, or offer for sale or distribution, in commerce any con-

sumer product containing any substance listed under section 10 of this Act, unless an aperture has been installed on such product that allows such substance to be removed without the release of the substance into the atmosphere.

#### SEC. 10. LISTING OF REGULATED SUBSTANCES.

(a) **PRIORITY SUBSTANCES TO BE REGULATED.**—Within sixty days after the date of enactment of this Act, the Secretary shall publish a priority list of manufactured substances that are known or may reasonably be anticipated to cause or contribute to ozone depletion in the upper atmosphere. The initial list shall include chlorofluorocarbon-11, chlorofluorocarbon-12, chlorofluorocarbon-113, halon-1211, halon-1301, and carbon tetrachloride. At any time the Secretary may add to the priority list other manufactured substances, including any listed under subsection (b), if concerns over protection of the upper atmosphere ozone layer dictate such action.

(b) **OTHER REGULATED SUBSTANCES.**—Simultaneously with publication of the priority list, the Secretary shall publish a list of other manufactured substances that, in the judgment of the Secretary, meets the criteria set forth in the first sentence of subsection (a). The list of other consumer products shall include chlorofluorocarbon-22, chlorofluorocarbon-114, chlorofluorocarbon-115, methyl chloroform, and methylene chloride. At least annually thereafter, the Secretary shall publish a proposal to add to such list each other manufactured substance that, in the judgment of the Secretary, meets the criteria set forth in the first sentence of subsection (a). Within one hundred and eighty days after any such proposal, following an opportunity for public comment, the Secretary shall issue a rule adding each such substance to the list, unless the Secretary determines that such substance clearly does not meet the criteria set forth in the first sentence of subsection (a).

#### SEC. 11. FEDERAL ENFORCEMENT.

##### (a) COMPLIANCE ORDERS.—

(1) Whenever on the basis of any information the Secretary determines that any person has violated or is in violation of any requirement of this Act, the Secretary may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both, or the Secretary may commence, in the United States district court in the district in which the violation occurred, a civil action for appropriate relief, including a preliminary or permanent injunction.

(2) Any order issued pursuant to this subsection may include a suspension or revocation of any permit issued by the Secretary under this Act and shall state with reasonable specificity the nature of the violation. Any penalty assessed in the order shall not exceed \$25,000 for each violation of a requirement of this Act. In assessing such a penalty the Secretary shall take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements.

(b) **PUBLIC HEARING.**—Any order issued under this section shall become final unless, no later than thirty days after the order is served, the person or persons named therein request a public hearing. Upon such request the Secretary shall promptly conduct a public hearing. In connection with any proceeding under this section the Secretary may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents,

and may issue rules for discovery procedures.

(c) **VIOLATION OF COMPLIANCE ORDERS.**—If a violator fails to take corrective action within the time specified in a compliance order, the Secretary may assess a civil penalty of not more than \$25,000 for each day of continued noncompliance with the order and the Secretary may suspend or revoke any permit issued to the violator under this Act.

(d) **CRIMINAL PENALTIES.**—Any person who—

(1) knowingly violates section 5, 6, 7, 8, or 9; or

(2) knowingly destroys, alters, conceals, or fails to file any record, application, report, or other document required to be maintained or filed for purposes of compliance with this Act shall, upon conviction, be subject to a fine in accordance with title 18 of the United States Code for each day of a violation, or imprisonment not to exceed two years, or both. If conviction is for a violation committed after a first conviction for a violation, the maximum applicable punishment shall be doubled with respect to both fine and imprisonment.

(e) **VIOLATIONS.**—Each day of violation of any requirement of this Act shall, for purposes of this section, constitute a separate violation.

#### SEC. 12. JUDICIAL REVIEW OF FINAL REGULATIONS AND CERTAIN PETITIONS.

Any judicial review of any final action of the Secretary pursuant to this Act shall be in accordance with sections 701 through 706 of title 5 of the United States Code, except that—

(1) a petition for review of any final action of the Secretary may be filed by any interested person in the Circuit Court of Appeals of the United States for the Federal judicial district in which such person resides or transacts business, and such petition shall be filed within the ninety day period beginning on the date of such final action or after such period if such petition is for review based solely on grounds arising after such period;

(2) action of the Secretary with respect to which review could have been obtained under this subsection shall not be subject to judicial review in civil or criminal proceedings for enforcement; and

(3) if a party seeking review under this Act applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that the information is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Secretary, and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper and the Secretary may modify administrative findings as to the facts, or make new findings by reason of the additional evidence presented.

#### SEC. 13. CITIZEN SUITS.

(a) **IN GENERAL.**—Except as provided in subsection (b) or (c) of this section, any person may commence a civil action on his own behalf—

(1) against any person (including the United States and any other governmental instrumentality or agency, to the extent permitted by the eleventh amendment to the Constitution) who is alleged to be in violation of any permit, regulation, condition, requirement, prohibition, or order which

has become effective pursuant to this Act; or

(2) against the Secretary where there is alleged a failure of the Secretary to perform any act or duty under this Act which is not discretionary with the Secretary.

Any action under paragraph (1) of this subsection shall be brought in the United States district court of the district in which the alleged violation occurred. Any action brought under paragraph (2) of this subsection may be brought in the United States district court for the district in which the alleged violation occurred or the District Court of the District of Columbia. The district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce the permit, regulation, condition, requirement, prohibition, or order, referred to in paragraph (1), to order such person to take such other action as may be necessary, or both, or to order the Secretary to perform the act or duty referred to in paragraph (2), as the case may be, and to apply any appropriate civil penalties under section 11.

(b) **ACTIONS PROHIBITED.**—No action may be commenced under subsection (a)(1) of this section—

(1) prior to sixty days after the plaintiff has given notice of the violation to—

(A) the Secretary; and

(B) to any alleged violator of such permit, regulation, condition, requirement, prohibition, or order; or

(2) if the Secretary has commenced and is diligently prosecuting a civil or criminal action in a court of the United States to require a compliance with such permit, regulation, condition, requirement, prohibition, or order.

In any action under subsection (a)(1), any person may intervene as a matter of right. Any action respecting a violation under this Act may be brought under this section only in the judicial district in which such alleged violation occurs.

(c) **NOTICE.**—No action may be commenced under subsection (a)(2) of this section prior to sixty days after the plaintiff has given notice to the Secretary that he will commence such action. Notice under this subsection shall be given in such manner as the Secretary shall prescribe by regulation.

(d) **INTERVENTION.**—In any action under this section the Secretary, if not a party, may intervene as a matter of right.

(e) **COSTS.**—The court, in issuing any final order in any action brought pursuant to this section or section 12, may award costs of litigation (including reasonable attorney and expert witness fees) to the prevailing or substantially prevailing party, whenever the court determines such an award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with Federal Rules of Civil Procedure.

(f) **OTHER RIGHTS PRESERVED.**—Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of any standard or requirement or to seek any other relief (including relief against the Secretary).

#### SEC. 14. SEPARABILITY.

If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

## SEC. 15. AUTHORITY OF SECRETARY.

The Secretary is authorized to prescribe such regulations as are necessary to carry out this Act.

## CONSUMER OZONE PROTECTION ACT OF 1989

**Summary:** The Bill would label, regulate, and—in some cases—eliminate the sale of certain consumer products that contain manmade substances that have been shown to deplete the stratospheric ozone layer. In addition, it promotes the development of a Chlorofluorocarbon and Halon Reclamation Plan for the purpose of encouraging recapture and recycling of ozone-depleting substances.

Specific provisions include:

## MOBILE AIR CONDITIONERS

Regulates auto air conditioner servicing, to ensure that chlorofluorocarbons (CFCs) are recaptured and recycled, and not unnecessarily vented to the atmosphere. (About 30% of U.S. emissions of CFC-12 originate from auto air conditioners, and three-quarters of those emissions occur during maintenance and recharging.)

Eliminates the sale of CFC-containing air conditioner recharge canisters smaller than 30 pounds. (This provision is intended to limit the sale of CFC-containing air conditioner fluid to bulk purchasers—servicers—only.)

Requires that any servicer who recharges an auto air conditioner with CFC-containing fluids, first test the system for leaks and repair those leaks.

## FIRE EXTINGUISHERS FOR CONSUMER APPLICATIONS

Eliminates the sale of fire extinguishers that contain ozone-depleting substances for consumer applications, except for those applications required by Federal law.

## NONESSENTIAL CONSUMER PRODUCTS CONTAINING CHLOROFUOROCARBONS

Eliminates the sale of certain nonessential CFC-containing consumer products (e.g., party streamers, noise horns, certain cleaning fluids.)

## LABELING

Labels consumer products that contain ozone-depleting chemicals, or use such chemicals in their manufacture or operation. The label would warn that the product's contents or manufacturing process pose a danger to the stratospheric ozone layer, and that depletion of the ozone layer could lead to increased risk of skin cancer and damage to natural systems, including food production.

## CHLOROFUOROCARBON AND HALON RECLAMATION PLAN

Calls for a Chlorofluorocarbon and Halon Reclamation Plan, for the purpose of determining the most effective way to ensure widespread reclamation, recycling, or regulated disposal of the ozone-depleting chemicals covered by the Act.

## S. 871

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Ozone Layer Conservation Act of 1989."

## SEC. 2. OBJECTIVES AND NATIONAL GOAL.

The objectives of this Act are to protect human health and natural ecosystems from all known and potential dangers due to depletion of the stratospheric ozone layer, which is or would be caused by manmade

chemicals such as the chlorofluorocarbons, halons, or other chemicals covered by this Act by—

(1) instituting a manufacturers' excise tax on certain ozone-depleting chemicals;

(2) directing a portion of the revenues from such excise tax toward research, development, and market incentives for technological alternatives to such chemicals; and

(3) promoting the development of such alternative technologies for applications in developing countries.

## SEC. 3. MANUFACTURERS' EXCISE TAX ON CHEMICALS THAT DEplete THE STRATOSPHERIC OZONE LAYER.

(a) IN GENERAL.—Chapter 38 of the Internal Revenue Code of 1986 (relating to environmental taxes) is amended by adding at the end thereof the following new subchapter:

## "Subchapter D—Ozone Depleting Chemicals, Etc.

"Sec. 4681. Imposition of tax.

"Sec. 4682. Definitions and special rules.

## "SEC. 4681. IMPOSITION OF TAX.

"(a) GENERAL RULE.—There is hereby imposed a tax on—

"(1) any ozone-depleting chemical sold or used by the manufacturer, producer, or importer thereof, and

"(2) any imported taxable product sold or used by the importer thereof.

"(b) AMOUNT OF TAX.—

"(1) OZONE-DEPLETING CHEMICALS.—

"(A) IN GENERAL.—The amount of the tax imposed by subsection (a) on each pound of ozone-depleting chemical shall be an amount equal to—

"(i) the base tax amount, multiplied by

"(ii) the ozone-depletion factor for such chemical.

"(B) BASE TAX AMOUNT.—Except as provided in subsection (c), the base tax amount for purposes of subparagraph (A) with respect to any sale or use during a calendar year is the amount determined under the following table for such calendar year:

Calendar year:	Base tax amount:
1990 .....	\$1
1991 .....	2
1992 .....	3
1993 .....	4
1994 or thereafter .....	5.

"(2) IMPORTED TAXABLE PRODUCT.—

"(A) IN GENERAL.—The amount of the tax imposed by subsection (a) on any imported taxable product shall be the amount of tax that would have been imposed by subsection (a) on the ozone-depleting chemicals used as materials in the manufacture or production of such product if such ozone-depleting chemicals had been sold in the United States for use in the manufacture or production of such imported taxable product.

"(B) CERTAIN RULES TO APPLY.—Rules similar to the rules of paragraphs (2) and (3) of section 4671(b) shall apply.

"(C) INFLATION ADJUSTMENT OF BASE TAX AMOUNT.—

"(1) IN GENERAL.—In the case of any article sold or used in a calendar year after 1990, the base tax amount applicable to such year under subsection (b) shall be the amount (determined by the Secretary) equal to—

"(A) the dollar amount specified in subsection (b)(1)(B) for such calendar year increased by

"(B) the product of—

"(i) the dollar amount so specified, and

"(ii) the inflation adjustment for such calendar year.

"(2) INFLATION ADJUSTMENT.—

"(A) IN GENERAL.—For purposes of paragraph (1), the inflation adjustment for a calendar year is the percentage (if any) by which—

"(i) the applicable price index for the preceding calendar year, exceeds

"(ii) the applicable index for 1989.

"(B) APPLICABLE PRICE INDEX.—For purposes of subparagraph (A), the applicable price index for any calendar year is the average of the producer price index for basic inorganic chemicals (as published by the Secretary of Labor) for the months in the 12-month period ending on September 30 of such calendar year.

"(3) ROUNDING.—If any increase determined under paragraph (1) is not a multiple of 10 cents, such increase shall be rounded to the nearest multiple of 10 cents (or if such increase is a multiple of 5 cents, such increase shall be increased to the nearest multiple of 10 cents).

## "SEC. 4682. DEFINITIONS AND SPECIAL RULES.

"(a) OZONE-DEPLETING CHEMICAL.—For purposes of this subchapter—

"(1) IN GENERAL.—The term 'ozone-depleting chemical' means any substance—

"(A) that, at the time of the sale or use by the manufacturer, producer, or importer, is listed as an ozone-depleting chemical by the Secretary for purposes of this subchapter, and

"(B) that is manufactured or produced in the United States or entered into the United States for consumption, use, or warehousing.

"(2) DETERMINATION OF SUBSTANCES ON LIST.—A substance shall be listed under paragraph (1) if—

"(A) the substance is specified in the list under paragraph (3), or

"(B) the Secretary determines that the substance is known, or may reasonably be anticipated, to cause or contribute to atmospheric or climatic modification, including stratospheric ozone depletion.

If, after enactment of this section, a substance not listed under paragraph (1) becomes subject to regulation under a treaty that regulates ozone-depleting substances and to which the United States is a party, the Secretary shall list such substance under paragraph (1) not later than day 60 days after the substance became so subject.

"(3) INITIAL LIST OF OZONE-DEPLETING CHEMICALS.—

Common name	Chemical nomenclature
CFC-11 .....	trichlorofluoromethane
CFC-12 .....	dichlorodifluoromethane
CFC-22 .....	chlorodifluoromethane
CFC-113 .....	trichlorotrifluoromethane
CFC-114 .....	1,2-dichloro-1,1,2,2-tetrafluoroethane
CFC-115 .....	chloropentafluoroethane
Carbon tetrachloride .....	tetrachloromethane
Methyl chloroform .....	1,1,1-trichloroethane
Methylene chloride .....	dichloromethane
Halon-1211 .....	bromochlorodifluoromethane
Halon-1301 .....	bromotrifluoromethane

"(4) MODIFICATIONS TO LIST.—The Secretary may add substances to or remove substances from the list under paragraph (3) (including items listed by reason of paragraph (2)(B)) as necessary to carry out the purposes of this subchapter.

"(b) OZONE-DEPLETING FACTORS.—

"(1) IN GENERAL.—For purposes of this subchapter, the term 'ozone-depleting factor' means, with respect to an ozone-depleting chemical, the numerical value assigned by

the Secretary that represents the ozone depletion potential of such chemical on a mass (per kilogram) basis, as compared with the ozone depletion potential of CFC-11.

**"(2) INITIAL OZONE-DEPLETING FACTORS.—"**

**"(A) IN GENERAL.**—Except as provided in subparagraph (B), in the case of an ozone-depleting chemical specified in the following table, the ozone-depleting factor shall be as follows:

"Ozone-depleting chemical"	"Ozone-depleting factor:"
CFC-11.....	1.0
CFC-12.....	1.0
CFC-22.....	0.05
CFC-113.....	0.78
CFC-114.....	0.7
CFC-115.....	0.6
Carbon tetrachloride.....	1.06
Methyl chloroform.....	0.1
Methylene chloride.....	0.1
Halon-1211.....	2.69
Halon-1301.....	11.43

**"(B) MODIFICATIONS TO OZONE-DEPLETING FACTORS.**—The Secretary may, as necessary to carry out the purposes of this subchapter, prescribe ozone-depleting factors that will apply in lieu of the ozone-depleting factors specified in subparagraph (A).

**"(c) IMPORTED TAXABLE PRODUCT.**—For purposes of this subchapter—

**"(1) IN GENERAL.**—The term 'imported taxable product' means any substance (other than an ozone-depleting chemical) if any ozone-depleting chemical was used as material in the manufacture or production of such substance.

**"(2) DE MINIMIS EXCEPTION.**—The term 'imported taxable product' shall not include any substances specified in regulations prescribed by the Secretary as containing a de minimis amount of ozone-depleting chemicals. The preceding sentence shall not apply with respect to any substance if any ozone-depleting chemical is used for purposes of refrigeration or air conditioning, creating an aerosol or foam, or in the production of electronic components.

**"(d) EXCEPTION FOR RECYCLING.**—No tax shall be imposed by section 4681 on any ozone-depleting chemical that is diverted or recovered in the United States as part of a recycling process (and not as part of the original manufacturing or production process).

**"(e) OTHER DEFINITIONS.**—For purposes of this subchapter—

**"(1) IMPORTER.**—The term "importer" means the person entering the article for consumption, use, or warehousing.

**"(2) UNITED STATES.**—The term "United States" has the meaning given such term by section 4612(a)(4).

**"(f) SPECIAL RULES.—"**

**"(1) FRACTIONAL PARTS OF A POUND.**—In the case of a fraction of a pound, the tax imposed by section 4681 shall be the same fraction of the amount of such tax imposed on a whole pound.

**"(2) DISPOSITION OF REVENUES FROM PUERTO RICO AND THE VIRGIN ISLANDS.**—The provisions of subsections (a)(3) of section 7652 shall not apply to any tax imposed by section 4681."

**(b) CLERICAL AMENDMENT.**—The table of subchapters for chapter 38 of such Code is amended by adding at the end thereof the following new item:

"Subchapter D. Ozone-depleting chemicals, etc."

**(c) EFFECTIVE DATE.**—The amendments made by this section shall take effect on January 1, 1990.

**SEC. 3. FLOOR STOCKS TAX.**

**(a) IMPOSITION OF TAX.**—On any ozone-depleting chemical specified in section 4682(a)(3) of the Internal Revenue Code of 1986 that on January 1, 1990, is held by a dealer for sale, there is hereby imposed a floor stocks tax in an amount equal to the tax that would be imposed under section 4681 of such Code on such chemical if such chemical were sold during 1990 by the manufacturer thereof.

**(b) APPLICATION OF OTHER LAWS.**—All other provisions of law, including penalties, applicable with respect to the taxes imposed by section 4681 of such Code shall apply to the floor stocks tax imposed by this section.

**(c) DUE DATE OF TAX.**—The taxes imposed by this section shall be paid before February 14, 1990.

**(d) DEFINITIONS.**—For purposes of this section—

**(1) DEALER.**—The term "dealer" includes a wholesaler, jobber, distributor, or retailer.

**(2) HELD BY A DEALER.**—An article shall be considered as "held by a dealer" if title thereto has passed to such dealer (whether or not delivery to the dealer has been made) and if for purposes of consumption title to such article or possession thereof has not at any time been transferred to any person other than a dealer.

**SEC. 4. OZONE LAYER CONSERVATION TRUST FUND.**

**(a) CREATION OF TRUST FUND.—**

**(1) IN GENERAL.**—There shall be established in the Treasury of the United States a trust fund to be known as the "Ozone Layer Conservation Trust Fund", consisting of such amounts as may be appropriated or credited to the Ozone Layer Conservation Trust Fund.

**(2) TRUSTEES.**—The trustees of the Ozone Layer Conservation Trust Fund shall be the Secretary of the Treasury, the Secretary of Energy, and the Administrator of the Environmental Protection Agency.

**(b) TRANSFER OF CERTAIN TAXES.**—There shall be appropriated to the Ozone Layer Conservation Trust Fund amounts equivalent to one-half of the taxes received in the Treasury under the manufacturers' excise tax instituted in section 3 of this Act.

**(c) EXPENDITURES FROM TRUST FUND.—**

**(1) DEVELOPMENT OF STRATEGIC PLAN.**—The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy, shall develop a strategic plan for the disbursement of funds from the Ozone Layer Conservation Trust Fund. Such plan shall be delivered to the Congress within six months of the enactment of this Act.

**(2) CONSIDERATIONS FOR STRATEGIC PLAN.—**

**(A) GENERAL CONSIDERATIONS.**—The strategic plan shall provide for federal government-private sector cooperation in research, development, and deployment of non-ozone-depleting chemical and technological alternatives to the ozone-depleting substances listed in section 2. Such plan shall seek to hasten the development and deployment of such alternative technologies with maximal environmental benefit in terms of both the stratospheric ozone layer, and energy efficiency. Such plan shall also seek to develop such alternative technologies that are suitable for export to the developing world.

**(B) SPECIFIC CONSIDERATIONS.—**

**(i) Research, development, and deployment of air conditioning and refrigeration**

equipment that does not rely on the ozone-depleting substances listed in section 3, is energy-efficient, is suitable for applications in the developing world, and is capable of being powered by thermal, direct-current electric, and alternating-current electric power sources.

**(ii) Block purchases of such air conditioning and refrigeration equipment by the federal government, for the purpose of providing an initial market for such technologies; such block purchases should be carried out every eighteen to twenty-four months, with increasing performance standards required for each subsequent block purchase.**

**(iii) The feasibility of granting preferential status to such air conditioning and refrigeration equipment in Federal procurement.**

**(iv) The means by which the Federal Government might assist United States manufacturers of such air conditioning and refrigeration equipment, in exporting such equipment.**

**OZONE LAYER CONSERVATION ACT OF 1989**

**Summary:** The Bill calls for a manufacturers' excise tax on certain chemicals that deplete the stratospheric ozone layer; establishes an Ozone Layer Conservation Trust Fund in the Treasury Department; and directs half of the revenues from the excise tax into the Trust Fund for the purpose of promoting research, development, and market incentives for technological alternatives to ozone-depleting chemicals.

Specific provisions include:

**MANUFACTURERS' EXCISE TAX ON CHEMICALS THAT DEplete THE STRATOSPHERIC OZONE LAYER**

Amends the Internal Revenue Code of 1986 to impose a manufacturers' excise tax on certain chemicals that deplete the stratospheric ozone layer. The amount of the tax is adjusted for each chemical, depending upon the chemical's potential for depleting stratospheric ozone.

A similar bill has been introduced in the House of Representatives by Rep. Stark, with 59 co-sponsors; according to a Joint Committee on Taxation study, this measure would raise 0.4 billion in the first year, 0.8 billion in the second year, 1.1 billion in the third year, 1.3 billion in the fourth year, and 1.5 billion in the fifth year.

**OZONE LAYER CONSERVATION TRUST FUND**

Would receive one-half of the revenues from the manufacturers' excise tax.

Expenditures from the Trust Fund would provide for government-industry cooperation in research, development, and market incentives for non-ozone-depleting chemical and technological alternatives (such as new refrigerator and air conditioner designs) to ozone-depleting substances.

In addition, the federal government would investigate the means by which it might assist United States manufacturers of such alternative technologies, in exporting the equipment for applications in developing and developed countries.

S. 872

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Upper-Ozone Chemicals Act of 1989."

**SEC. 2. FINDINGS.**

The Congress finds that because no level of stratospheric ozone depletion or global

climate change caused by human activities can be deemed safe—

(1) emissions of chlorofluorocarbons and other substances covered by this Act, including halogenated carbons with ozone-depleting potential, should be terminated rapidly;

(2) the highest priority must be given to developing and deploying safe alternative chemicals and technologies to replace ozone-depleting substances within five years; and

(3) production of the most dangerous ozone-depleting substances must be phased out within five years.

#### SEC. 3. OBJECTIVES AND NATIONAL GOAL.

(a) The objectives of the Act are to protect human health and natural ecosystems from all known and potential dangers due to depletion of the stratospheric ozone layer, which is or would be caused by consumer products containing chlorofluorocarbons, halons, or other chemicals covered by this Act by—

(1) phasing out production of the most dangerous ozone-depleting substances within five years; and

(2) promoting the development of safe alternatives to the use of the chlorofluorocarbons and other chemicals covered by this Act.

(b) In order to achieve the objectives of this Act, it is the national goal to phase out production of chemicals with the potential for depleting stratospheric ozone.

#### SEC. 4. DEFINITIONS.

As used in this Act:

(1) The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) The term "household appliances" means non-commercial personal effects, including air-conditioners, refrigerators, and motor vehicles.

(3) The term "import" means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

(4) The term "manufactured substance" means any organic or inorganic chemical of a particular molecular identity, or any mixture, that has been manufactured for commercial purposes.

(5) The term "medical purposes" means medical devices and diagnostic products (A) for which no safe substitute has been developed and (B) that, after notice and opportunity for public comment, have been approved and determined to be essential by the Commission of the Food and Drug Administration, in consultation with the Administrator.

(6) The term "person" means an individual, corporation (including a government corporation), partnership, firm, joint stock company, trust, association, or any other private entity, or any officer, employee, agent, department, or instrumentality of the Federal Government, or of any State or political subdivision thereof (including any interstate body), or of any foreign government (including any international instrumentality).

(7) The term "ozone depletion potential" means the chemical effectiveness with which a substance depletes stratospheric ozone, relative to chlorofluorocarbon-11.

(8) The term "substances covered by this Act" means those manufactured chemicals that are listed under subsections (a) or (b) of section 5 of this Act.

#### SEC. 5. LISTING OF REGULATED SUBSTANCES.

(a) **PRIORITY REGULATED SUBSTANCES.**—Within sixty days after the date of enactment of this Act, the Administrator shall publish a priority list of manufactured substances that are known or may reasonably be anticipated to cause or contribute to stratospheric ozone depletion. The initial list shall include chlorofluorocarbon-11, chlorofluorocarbon-12, chlorofluorocarbon-13, halon-1211, halon-1301, and carbon tetrachloride.

(b) **OTHER REGULATED SUBSTANCES.**—Simultaneously with publication of the priority list, the Administrator shall publish a list of other manufactured substances that, in the judgment of the Administrator, meet the criteria set forth in the first sentence of subsection (a). The list of other manufactured substances shall include chlorofluorocarbon-22, chlorofluorocarbon-114, chlorofluorocarbon-115, methyl chloroform, and methylene chloride. At least annually thereafter, the Administrator shall publish a proposal to add to such list each other manufactured substance that, in the judgment of the Administrator, meets the criteria set forth in the first sentence of subsection (a). Within one hundred and eighty days after any such proposal, following an opportunity for public comment, the Administrator shall promulgate a regulation adding each such substance to the list, unless the Administrator determines that such substance clearly does not meet the criteria set forth in the first sentence of subsection (a). At any time, the Administrator may reclassify a substance from subsection (b) to subsection (a), if concerns over protection of the stratospheric ozone layer dictate such action.

(c) **OZONE DEPLETION FACTOR.**—Simultaneously with publication of the lists or additions thereto under this section, and at least annually thereafter, the Administrator shall assign to each listed substance a numerical value representing the ozone depletion potential of each manufactured substance, on a mass (per kilogram) basis, as compared with chlorofluorocarbon-11. The numerical value shall, for the purposes of section 9, constitute the ozone depletion factor of each chemical. Until the Administrator promulgates regulations under this subsection, the following ozone depletion factors shall apply:

Chlorofluorocarbon-11 .....	1.0
Chlorofluorocarbon-12 .....	1.0
Chlorofluorocarbon-22 .....	0.05
Chlorofluorocarbon-113 .....	0.78
Carbon tetrachloride .....	1.06
Methyl chloroform .....	0.10
Halon-1211 .....	2.69
Halon-1301 .....	11.43

#### SEC. 6. REPORTING REQUIREMENTS.

(a) **PRIORITY REGULATED SUBSTANCES.**—Within ninety days after the date of enactment of this Act, each person producing or importing a substance listed pursuant to subsection (a) of section 5 of this Act shall file a report with the Administrator setting forth the amount of the substance that was produced or imported by such person during calendar year 1986. Not less than annually thereafter, each such producer or importer shall file a report with the Administrator setting forth the production levels of such substance in each successive twelve-month period until such producer or importer ceases production or importation of the substance. Each such report shall be signed and attested by a responsible corporate officer.

(b) **OTHER REGULATED SUBSTANCES.**—Within ninety days after the date of enactment of this Act, each person producing or

importing a substance listed pursuant to subsection (b) of section 5 of this Act shall file a report with the Administrator setting forth the amount of the substance that was produced or imported by such person during the twelve months preceding the date of listing. Not less than annually thereafter, each such producer or importer shall file a report with the Administrator setting forth the production or importation levels of such substance in each successive twelve-month period until such producer or importer ceases production or importation of the substance. Each such report shall be signed and attested by a responsible corporate officer.

#### SEC. 7. PRODUCTION PHASEOUT.

(a) Effective one year after the date of enactment of this Act, it shall be unlawful for any person to produce a substance listed pursuant to subsection (a) of section 5 of this Act in annual quantities greater than that produced by such person during calendar year 1986.

(b) Effective two years after the date of enactment of this Act, it shall be unlawful for any person to produce a substance listed pursuant to subsection (a) of section 5 of this Act in annual quantities greater than 75 per centum of that produced by such person during calendar year 1986.

(c) Effective three years after the date of enactment of this Act, it shall be unlawful for any person to produce a substance listed pursuant to subsection (a) of section 5 of this Act in annual quantities greater than 50 per centum of that produced by such person during calendar year 1986.

(d) Effective four years after the date of enactment of this Act, it shall be unlawful for any person to produce a substance listed pursuant to subsection (a) of section 5 of this Act in annual quantities greater than 5 per centum of that produced by such person during calendar year 1986.

(e) Effective five years after the date of enactment of this Act, it shall be unlawful for any person to produce a substance listed pursuant to subsection (a) of section 5 of this Act for any use other than medical purposes.

(f) Effective ten years after the date of enactment of this Act, it shall be unlawful for any person to produce a substance listed pursuant to section 5 of this Act for any use other than for medical purposes.

#### SEC. 8. LIMITATION ON USE.

(a) Effective five years after the date of enactment of this Act, it shall be unlawful to introduce into interstate commerce or to use a substance listed under subsection (a) of section 5 of this Act except for medical purposes approved by the Commissioner of the Food and Drug Administration, in consultation with the Administrator, and, during a period not to extend beyond January 1, 2005, for purposes of maintaining and servicing household appliances.

(b) Effective ten years after the date of enactment of this Act, it shall be unlawful to introduce into interstate commerce or to use a substance listed under subsection (b) of section 5 of this Act except for medical purposes approved by the Commissioner of the Food and Drug Administration, in consultation with the Administrator, and, during a period not to extend beyond January 1, 2005, for purposes of maintaining and servicing household appliances. For purposes of this subsection and section 7(f), a manufacturing process utilizing such a substance solely as an intermediate in a manufacturing process in which the substance is

wholly consumed and none is released does not constitute a use.

#### SEC. 9. LIMITATION ON OZONE DEPLETION POTENTIAL.

(a) Effective one year after the date of enactment of this Act, it shall be unlawful for any person to produce substances covered by this Act in annual quantities that, based upon the ozone depletion factor assigned to each substance under subsection (c) of section 5 of this Act, yield a total ozone depletion potential greater than that produced by such person during calendar year 1986.

(b) Effective two years after enactment of this Act, it shall be unlawful for any person to produce substances covered by this Act in annual quantities that, based upon the ozone depletion factor assigned to each substance under subsection (c) of section 5, yield a total ozone depletion potential greater than 75 per centum of that produced by such person during calendar year 1986.

(c) Effective three years after enactment of this Act, it shall be unlawful for any person to produce substances covered in this Act in annual quantities that, based upon the ozone depletion factor assigned to each substance under subsection (c) of section 5, yield a total ozone depletion potential greater than 50 per centum of that produced by such person during calendar year 1986.

(d) Effective four years after enactment of this Act, it shall be unlawful for any person to produce substances covered in this Act in annual quantities that, based upon the ozone depletion factor assigned to each substance under subsection (c) of section 5, yield a total ozone depletion potential greater than 5 per centum of that produced by such person during calendar year 1986.

(e) Effective five years after enactment of this Act, it shall be unlawful for any person to produce a substance listed pursuant to section 5(a) of the Act for any use other than for medical purposes.

(f) If the Administrator determines that such revised or specific schedule is necessary to protect human health and the environment based on new information regarding the harmful effects on the stratosphere or climate that may be associated with a listed substance, or is attainable, based on the availability of substitutes for a listed substance, the Administrator shall promulgate regulations, after notice and opportunity for public comment, which require each producer to reduce its production of the substance—

(1) if the substance is listed under subsection (a) of section 5 of this Act, more rapidly than the schedule provided under this Act; or

(2) if the substance is listed under subsection (b) of section 5, on a specific schedule not otherwise provided for in this Act.

Any person may petition the Administrator to revise such regulations within one hundred and eighty days after receipt of any such petition, unless the Administrator has previously denied the petition.

#### SEC. 10. PRODUCTION PHASEOUT EXCEPTION FOR NATIONAL SECURITY.

(a) The President may issue such orders regarding production and use of halon-1211 and halon-1301 at any specified site or facility as may be necessary to protect the national security interests of the United States if the President personally finds that adequate substitutes are not available and that the production and use of such substance is necessary to protect such national security interests. Such orders may include, where necessary to protect such interests, an exemption from any requirement contained in

this Act. The President shall notify the Congress within thirty days of the issuance of an order under this paragraph providing for any such exemption. Such notification shall include a statement of the reasons for granting the exemption. An exemption under this paragraph shall be for a specified period which may not exceed one year. Additional exemptions may be granted, each upon the President's issuance of a new order under this paragraph. Each such additional exemption shall be for a specified period that shall not exceed one year. No exemption shall be granted under this paragraph due to lack of appropriations unless the President shall have specifically requested such appropriation as a part of the budgetary process and the Congress shall have failed to make available such requested appropriation.

(b) The Secretary of Defense shall seek to eliminate all emissions of halon-1211 and halon-1301 that presently occur during the testing of fire-extinguishing equipment. In so doing, the Secretary of Defense shall investigate the feasibility of testing such equipment with alternative methods that do not result in the release of halon-1211 and halon-1301 into the atmosphere.

#### SEC. 11. CERTIFICATION OF EQUIVALENT FOREIGN PROGRAMS.

(a) IMPORTS.—Effective twelve months after the date on which a substance is placed on the priority list pursuant to section 5 of this Act, it shall be unlawful for any person to import such substance, any product containing such substance, or any product manufactured with a process that uses such substance unless the Administrator, in consultation with the Secretary of State, has published a decision, after notice and opportunity for public comment, certifying that the nations in which such substance or product was manufactured and from which such substance or product is imported have established and are fully implementing programs that require reduced production of such listed substances, and limit production of other substances covered by this Act, on a schedule and in a manner at least as stringent as the reduction schedule for, and limitations on, domestic production that apply under this Act. The prohibition on the import of any product manufactured with a process that uses a substance listed under subsection (a) of section 5 shall include, after notice and opportunity for public comment, any product that the Administrator has reason to believe may have been manufactured with a process that uses such substance. The Administrator's decision that a product may have been manufactured with a process that uses such substance shall constitute a rebuttable presumption.

(b) CERTIFICATION OF FOREIGN PROGRAMS.—The Administrator shall not certify any foreign program under subsection (a) unless it is determined that—

(1) the nation involved has adopted legislation or regulations that gives the reduction schedule for each listed substance the force of law; and

(2) such legislation or regulations include reporting requirements and enforcement provisions no less stringent than those specified in this Act, and that the information contained in such reports is available to the Administrator and the Secretary of State.

(c) REVOCATION.—At least annually, the Administrator, in consultation with the Secretary of State, shall review each certification made under this section and shall revoke such certification, after notice and

opportunity for public comment, unless it is determined that the conditions of subsections (a) and (b) remain satisfied and that the reduction schedule for each listed substance is in fact being carried out in such nations. Any such revocation shall take effect one hundred and eighty days after notice of the revocation has been published.

(d) ALLOCATION.—Any person who imports a substance covered by this Act or a product containing such substance shall, for the purposes of applying the provisions of section 7 and section 9, be deemed to have produced an equivalent amount of such substance on the date of such importation.

#### SEC. 12. MANUFACTURE AND DISPOSAL.

(a) MANUFACTURE.—Effective July 1, 1991—

(1) No person shall manufacture, process, distribute in commerce or otherwise use (except for medical purposes) any listed substance in any manner other than a totally enclosed manner. "Totally enclosed" means that during the lifetime of the good in question not more than 5 per centum of the original charge or volume of such substance will be released during the course of ordinary and customary use of such good, including repairs or disposal.

(2) No person shall manufacture, process, distribute in commerce, or otherwise use (except for medical purposes) a listed substance in a totally enclosed manner without—

(A) installing on such device a servicing aperture that will allow service and repair of such good with release of only de minimis amounts of such substance,

(B) assuring the availability and actual use of servicing equipment adequate to assure the achievement of no more than a de minimis release of such substance.

(b) DISPOSAL.—Effective January 1, 1991—

(1) A substance listed pursuant to this Act shall be deemed to meet the requirements of section 3001 of the Resource Conservation and Recovery Act.

(2) A substance listed pursuant to this Act shall be disposed of only through incineration or other means that assures 99 per centum destruction of such substance.

(3) Any appliance, machine, or other good containing a listed substance in bulk (including refrigerators and air conditioners) shall be accepted for disposal only by persons licensed to accept such goods and shall be disposed of only after such substance has been removed from confinement and destroyed pursuant to the requirements of this Act. Unless and until regulations establishing a program for approving, licensing, and assuring the financial responsibility of persons to accept goods containing such substances are promulgated, only governmental entities, or their agents, contractors or employees, are authorized to accept such goods.

(4) No listed substance shall be vented into the atmosphere or otherwise released in a fashion that permits it to enter the environment in other than de minimis quantities.

(5) Any product in which a listed substance has been incorporated so as to constitute an inherent element of such product, including rigid and soft foams, shall be disposed of only through incineration or other means that result in not less than 99 per centum destruction.

(c) For purposes of this section a "de minimis" amount is 0.050 per centum of the total charge of such substance or five pounds, whichever is less, released during a period of twelve months.

## SEC. 13. SAFE ALTERNATIVES POLICY.

(a) **POLICY.**—The substances listed in section 5 of this Act shall, to the maximum extent practicable, be replaced by chemicals, product substitutes, or alternative manufacturing processes that reduce overall risks to public health and the environment.

(b) **REVIEWS AND REPORT.**—The Administrator shall initiate, not less than thirty days after the date of enactment of this Act, a review of relevant professional, technical, and scientific sources that may contain information concerning chemicals, product substitutes, or alternative manufacturing processes that are potential replacements for the substances listed in section 5 of this Act. The Administrator shall report interim findings to the Congress no later than six months after the date of enactment of this Act. A final report shall be published no later than one year after the date of enactment of this Act.

(c) **REPORT FINDINGS.**—The report required under section (b) shall include the Administrator's findings with regard to—

(1) the identity of potential replacement chemicals, product substitutes, or alternative production processes;

(2) a chemical profile or an abstract that describes each replacement chemical, product substitute, or alternative production process identified pursuant to paragraph 1, and any health or environmental hazards, including the potential for contributing to the greenhouse effect and stratospheric ozone depletion; and

(3) the earliest date by which each replacement chemical, product substitute, or alternative production process identified pursuant to paragraph 1 could be made available for commercial use.

(d) **ADDITIONAL MEASURES.**—The Administrator shall require all producers of replacement chemicals for the substances listed in section 5 of this Act to provide the Environmental Protection Agency with all published and unpublished health and safety studies on such replacement chemicals, and shall require all such producers to notify the Environmental Protection Agency at least sixty days before such replacement chemicals are introduced for commercial use.

(e) **ANNUAL UPDATING.**—The Administrator shall update the report required by section (b), on an annual basis.

## SEC. 14. FEDERAL ENFORCEMENT.

(a) **COMPLIANCE ORDERS.**—

(1) Whenever on the basis of any information the Administrator determines that any person has violated or is in violation of any requirement of this Act, the Administrator may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both, or the Administrator may commence, in the United States district court in the district in which the violation occurred, a civil action for appropriate relief, including a preliminary or permanent injunction.

(2) Any order issued pursuant to this subsection may include a suspension or revocation of any permit issued by the Administrator under this Act and shall state with reasonable specificity the nature of the violation. Any penalty assessed in the order shall not exceed \$25,000 for each violation of a requirement of this Act. In assessing such a penalty the Administrator shall take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements.

(b) **PUBLIC HEARING.**—Any order issued under this section shall become final unless, no later than thirty days after the order is served, the person or persons named therein request a public hearing. Upon such request the Administrator shall promptly conduct a public hearing. In connection with any proceeding under this section the Administrator may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and may promulgate rules for discovery procedures.

(c) **VIOLATION OF COMPLIANCE ORDERS.**—If a violator fails to take corrective action within the time specified in a compliance order, the Administrator may assess a civil penalty of not more than \$25,000 for each day of continued noncompliance with the order and the Administrator may suspend or revoke any permit issued to the violator under this Act.

(d) **CRIMINAL PENALTIES.**—Any person who—

(1) knowingly exceeds the production limits under section 7 or section 9;

(2) knowingly introduces into interstate commerce a consumer product that is in violation of section 5, 6, or 9;

(3) knowingly imports a substance listed under subsection (a) of section 5, a product containing such substance, or a product manufactured with a process that uses such a substance, in violation of section 7;

(4) knowingly introduces into interstate commerce a substance or product in violation of section 8;

(5) knowingly omits material information or makes any false material statement or representation in any application, record, report, permit, or other document filed, maintained, or used for purposes of compliance with this Act;

(6) knowingly produces, transports, distributes, or uses consumer products containing a substance listed under section 5, or a product manufactured with a process that uses such a substance; or

(7) knowingly destroys, alters, conceals, or fails to file any record, application, report, or other document required to be maintained or filed for purposes of compliance with this Act

shall, upon conviction, be subject to a fine in accordance with title 18 of the United States Code for each day of a violation, or imprisonment not to exceed two years, or both. If conviction is for a violation committed after a first conviction of such person under this paragraph, the maximum applicable punishment shall be doubled with respect to both fine and imprisonment.

(e) **VIOLATIONS.**—Each day of violation of any requirement of this Act shall, for purposes of this section, constitute a separate violation.

## SEC. 15. JUDICIAL REVIEW OF FINAL REGULATIONS AND CERTAIN PETITIONS.

Any judicial review of any final action of the Administrator pursuant to this Act shall be in accordance with sections 701 through 706 of title 5 of the United States Code, except that—

(1) a petition for review of any final action of the Administrator may be filed by any interested person in the Circuit Court of Appeals of the United States for the Federal judicial district in which such person resides or transacts business, and such petition shall be filed within the ninety day period beginning on the date of such filed action or after such period if such petition is for review based solely on grounds arising after such period;

(2) action of the Administrator with respect to which review could have been obtained under this subsection shall not be subject to judicial review in civil or criminal proceedings for enforcement; and

(3) if a party seeking review under this Act applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that the information is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Administrator, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Administrator, and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper; the Administrator may modify administrative findings as to the facts, or make new findings, by reasons of the additional evidence so taken, and shall file with the court such modified or new findings and the Administrator's recommendation, if any, for the modification or setting aside of the original administrative order, with the return of such evidence.

## SEC. 16. CITIZEN SUITS.

(a) **IN GENERAL.**—Except as provided in subsection (b) or (c) of this section, any person may commence a civil action on his own behalf—

(1) against any person (including the United States and any other governmental instrumentality or agency, to the extent permitted by the eleventh amendment to the Constitution) who is alleged to be in violation of any permit, regulation, condition, requirement, prohibition, or order which has become effective pursuant to this Act; or

(2) against the Administrator where there is alleged a failure of the Administrator to perform any act or duty under this Act which is not discretionary with the Administrator.

Any action under paragraph (1) of this subsection shall be brought in the United States district court for the district in which the alleged violation occurred. Any action brought under paragraph (2) of this subsection may be brought in the United States district court for the district in which the alleged violation occurred or the District Court of the District of Columbia. The district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce the permit, regulation, condition, requirement, prohibition, or order, referred to in paragraph (1), to order such person to take such other action as may be necessary, or both, or to order the Secretary to perform the act or duty referred to in paragraph (2), as the case may be, and to apply any appropriate civil penalties under section 13.

(b) **ACTIONS PROHIBITED.**—No action may be commenced under subsection (a)(1) of this section—

(1) prior to sixty days after the plaintiff has given notice of the violation to—

(A) the Administrator; and

(B) to any alleged violator of such permit, regulation, condition, requirement, prohibition, or order; or

(2) if the Administrator has commenced and is diligently prosecuting a civil or criminal action in a court of the United States to require a compliance with such permit, regulation, condition, requirement, prohibition, or order.

In any action under subsection (a)(1), any person may intervene as a matter of right. Any action respecting a violation under this

Act may be brought under this section only in the judicial district in which such alleged violation occurs.

(c) NOTICE.—No action may be commenced under paragraph (a)(2) of this section prior to sixty days after the plaintiff has given notice to the Secretary that he will commence such action. Notice under this subsection shall be given in such manner as the Secretary shall be given in such manner as the Secretary shall prescribe by regulation.

(d) INTERVENTION.—In any action under this section the Administrator, if not a party, may intervene as a matter of right.

(e) COSTS.—The court, in issuing any final order in any action brought pursuant to this section or section 14, may award costs of litigation (including reasonable attorney and expert witness fees) to the prevailing or substantially prevailing party, whenever the court determines such an award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with Federal Rules of Civil Procedure.

(f) OTHER RIGHTS PRESERVED.—Nothing in this section shall restrict any right which any person (or class of persons) may have under any statute or common law to seek enforcement of any standard or requirement or to seek any other relief (including relief against the Administrator).

#### SEC. 17. SEPARABILITY.

If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

#### SEC. 18. RELATIONSHIP TO OTHER LAWS.

(a) Nothing in this Act shall be construed to alter or affect the authority of the Administrator under the Clean Air Act or the Toxic Substances Control Act or to affect the authority of any other department, agency, or instrumentality of the United States under any provision of law to promulgate or enforce any requirement respecting control of any substance, practice, process, or activity for purposes of protecting the stratosphere or ozone in the stratosphere.

(b) Nothing in this Act shall preclude or deny any State or political subdivision thereof from adopting or enforcing any requirement respecting the control of any substances, practice, process, or activity for the purposes of protecting the stratosphere or ozone in the stratosphere.

#### SEC. 19. AUTHORITY OF ADMINISTRATION.

The Administrator is authorized to prescribe such regulations as are necessary to carry out this Act.

#### UPPER-OZONE CHEMICALS ACT OF 1989

Summary: The Bill provides for a five-year phaseout of six substances that deplete the stratospheric ozone layer (CFC-11, CFC-12, CFC-113, halon-1211, halon-1301, carbon tetrachloride), and a ten-year phaseout of other ozone-depleting substances (CFC-22, CFC-114, CFC-115, methyl chloroform, methylene chloride), with exceptions for medical and national security reasons. There are provisions for certifying that nations from which we import products that contain ozone-depleting chemicals have a similar phaseout program in place, and a requirement for safe disposal of ozone-depleting substances. Finally, the bill calls for developing a safe alternative policy, for replacing the substances to be phased out with

chemicals, product substitutes, or alternative manufacturing processes that reduce overall risk to public health and the environment.

Specific provisions include:

#### A PRODUCTION PHASEOUT

Five-year phaseout for CFC-11, CFC-12, CFC-113, halon-1211, halon-1301, carbon tetrachloride

Ten-year phaseout for CFC-22, CFC-114, CFC-115, methyl chloroform, and methylene chloride.

There is an exception to the production phaseout for medical and national security reasons.

#### CERTIFICATION OF EQUIVALENT FOREIGN PHASEOUT PROGRAMS

Requires certification by the Secretary of State that foreign countries have equivalent phaseout programs in place before allowing their products that contain or are manufactured with ozone-depleting substances, to be exported to the United States.

#### DISPOSAL OF OZONE-DEPLETING SUBSTANCES, AND OF PRODUCTS THAT CONTAIN OZONE-DEPLETING SUBSTANCES

Requires ozone-depleting substances to be disposed of in a way that ensures that the substances will not be released to the environment.

Requires that ozone-depleting substances be removed from appliances, machines, or other goods before those goods are disposed of, and that the substances be disposed of as indicated above.

#### SAFE ALTERNATIVES POLICY

Establishes the policy that the substances to be phased out will be replaced, to the maximum extent possible, by chemicals, product substitutes, or alternative manufacturing processes that reduce overall risks to public health and the environment.

Calls on EPA to review and report on the alternatives being considered, and assess their risks to public health and the environment.

By Ms. MIKULSKI:

S. 873. A bill to promote the integration of women in the development process in developing countries; to the Committee on Foreign Relations.

#### WOMEN IN DEVELOPMENT ACT

● Ms. MIKULSKI. Mr. President, today I am introducing legislation to increase the participation of women in Third World economic development programs. The bill is similar to legislation I introduced last year and which was included in the fiscal year 1989 Foreign Operations appropriations bill. Those provisions will expire with the appropriations bill.

In view of the very stringent budget limits we are facing, we need to make sure that every tax dollar is spent to best advantage. This is especially true in our foreign assistance programs, which have an extremely broad mission and are usually the first target of budget cuts.

There are two basic reasons for directing more of our assistance toward women. One is simple fairness. Tradition and legal restrictions make it difficult in many countries for women to improve their living conditions. Women are the poorest, hardest work-

ing, least educated and unhealthiest people in the Third World, yet they receive less assistance than men.

Second, if we are to get the most from our assistance dollars, particularly in agricultural programs, it is clear that we must direct our aid to the people who are doing most of the work—women. The U.S. Agency for International Development's own research has shown that the greater the involvement of women, the more successful the assistance project.

Women are responsible for 80 to 90 percent of food production in Africa, but in AID-funded training programs in Africa, only 21 percent of the participants have been women. The figures in Asia and Latin America are similar.

In Third World countries women not only handle the household chores but also earn an income to provide for their families' basic needs. Generally, women work from 10 to 12 hours per day—2 to 4 hours more than men—walking several miles to find water and fuel, weeding, planting, hoeing, marketing food and other goods, caring for children, preparing food, and taking care of other daily household duties.

Dollar for dollar, aid directed to women will bring a greater return than other aid programs, and the assistance we provide has a ripple effect on local society which goes far beyond simple economics.

For example, take the case of a weaving project in Kenya that was funded at a modest \$10,000. In addition to teaching marketable skills and providing extra income for women employees and their families, the weaving job is so important to these women that they will do whatever they can to keep from having more children and jeopardizing that job. Since Kenya has one of the highest birth rates in the world, this byproduct of the weaving project is extremely significant. The weaving center has also become a focal point for health care. Volunteer doctors visit the factory regularly, an ambulance comes to the plant for group inoculations, and villagers not employed at the plant gather there to take advantage of these services. Finally, employment at the factory has created enough self-confidence among the workers that several have run for local council posts.

Similar changes in attitude have resulted from programs of the famous Grameen Bank in Bangladesh, and I ask unanimous consent that a recent Christian Science Monitor article on the bank be reprinted at the end of my statement.

AID Administrator Alan Woods and other key agency officials consulted closely with the Congress last year on this issue and have instituted new efforts—some unilateral, some as a

result of last year's legislation. AID deserves credit for its actions to date, but much more needs to be done.

The legislation I am introducing today funds women in development activities through AID and two U.N. agencies. It also sets forth policy goals and guidelines for AID to follow in order to increase the integration of women into its development programs. The bill includes:

Ten million dollars authorization for women in development programs at the Agency for International Development.

Eight million dollars of that total will be available through the women in development office at AID as matching funds for programs in other bureaus which exhibit the potential for involving women. The purpose of the legislation is not to create a separate office to deal with women's programs but to encourage all missions—health, agriculture, private sector promotion, environment, education—to integrate women into their programs.

Directives for including women in all agency efforts.

An agency task force to coordinate efforts.

Goals and deadlines for increasing the training and integration of Third World women in AID programs.

Increased training for AID employees and contractors.

Funding for two U.N. agencies that provide data collection and program coordination for women's programs.

More effective targeting of women is the best way I know to increase the effectiveness of our aid programs, and I hope that the Foreign Relations Committee will take a serious look at this issue as it considers foreign aid authorization legislation this year.

I ask unanimous consent that the text of the bill and the article mentioned earlier be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 873

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Women in Development Act of 1989".

#### SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Women in developing countries play multiple and vital roles in economic development, but in many development activities their roles have been overlooked, ignored, or displaced.

(2) The full participation of women in, and the full contribution of women to, the development process are essential to achieving growth, a more equitable distribution of resources and services to meet basic needs, a higher quality of life in developing countries, and sustainable development.

(3) In developing countries, the income earned by women is crucial to their individual self-reliance, to raising the standard of

living of their families, to the overall development of their community and society, and to strengthening national economies.

(4) Achievement of development goals is being retarded by the failure to effectively integrate women in development activities.

(5) Research shows that when women's participation in development activities is high, project success and sustainability tend to be high; when participation is low, project success and sustainability tend to be moderate or low. Therefore, the cost-effectiveness and efficiency of United States bilateral and multilateral development assistance can be increased by improving the integration of women in all stages of the development process.

(6) In food production, low-resource women farmers provide the critical labor and offer the best hope for increasing food supplies in many developing countries; however, their contributions have been limited by a lack of access to appropriate extension, credit, and marketing services.

(7) A serious deficiency now exists in U.S. and other international development programs; that is, a lack of basic education, vocational training and health instruction for girls in the approximate age group of five to fifteen years.

(8) Women are a major source of entrepreneurial talent in the informal sectors of developing countries and, with access to training, credit and other forms of assistance, are expected to account for much of the growth in the private sector.

(9) United States and indigenous private and voluntary organizations have demonstrated effectiveness in strengthening women's organizations in developing countries through the development of managerial and analytical capabilities.

(10) The Agency for International Development states that its policy is to promote full involvement of women as participants and beneficiaries in all of the projects, institutions, and development processes supported by the Agency. Although the Agency issued a policy paper in 1982 which provided guidelines for increasing the participation of women in the development process, in actual practice the integration of women received low priority in relation to other mandates. In 1988, however, the Agency increased its efforts to involve women in its development programs.

(11) The Agency for International Development lacks adequate accountability or management mechanisms to ensure that the women in development policy is in fact being fully implemented.

(12) In order to improve integration of women in the Agency's development activities, the Agency must provide, at the earliest possible date, training to recognize the essential economic roles of women and to develop strategies to incorporate women into all development programs. This training should be extended to all Washington and mission-based policy, program and project staff who would provide guidance on strategies for achieving the goal of involving women in the planning, design, implementation, management, and evaluation of the Agency's development activities, and to universities participating in Agency programs, to other U.S. government agencies, and to contractors involved in carrying out programs administered by the Agency. In 1989 the Agency began an expanded training program, with encouraging results.

(13) Training programs held in host countries or the United States for project participants are important components of most de-

velopment projects and reflect the development objectives and strategies of the Agency for International Development. The low representation of women in these training programs impedes their integration in their national economies, limits their current and future productive roles, reduces the effectiveness of U.S. programs and constrains overall economic development.

(14) Among United Nations organizations, the United Nations Development Fund for Women (UNIFEM) and the International Research and Training Institute for the Advancement of Women (INSTRAW) have demonstrated that greater support for the productive activities of women can improve the well-being of communities and national economies. The United Nations Development Fund for Women plays a unique and valuable role by developing and replicating projects and ensuring the appropriate involvement of women in mainstream development activities. The International Research and Training Institute for the Advancement of Women serves as a catalytic force within the United Nations to ensure that research and data collection of all United Nations agencies identify women's economic and social roles and potential.

(15) Research has established the value of fully integrating women and the poor in the development process, especially in designing, implementing and evaluating development projects. Such agencies as the Inter-American Foundation, the African Development Foundation and the International Fund for Agricultural Development have carried out programs which have achieved a reasonable measure of success in carrying out these objectives.

#### SEC. 3. STEPS TO BE TAKEN BY THE AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) **STRENGTHENING WOMEN IN DEVELOPMENT POLICY.**—The Administrator of the Agency for International Development shall take the following steps to strengthen the Agency's women in development policy:

(1) Ensure that the Agency seek to incorporate the active participation of local women and local women's organizations in its development activities (including their involvement in the planning, design, implementation, management, monitoring, and evaluation of the activities) in approximate proportion to their traditional participation in the targeted activities or their proportion of the population, whichever is higher.

(2) Instruct Agency staff and contractors to collect sex-disaggregated data for, and include such data in, every Country Development Strategy Statement, Project Identification Document, Project Paper, Program Assistance Identification Proposal, Program Assistance Approval Document, and Policy Inventory, as well as all relevant research projects.

(3) Instruct Agency staff and contractors to seek to ensure that country strategies, projects, and programs are designed so that the percentage of women who receive assistance is in approximate proportion to either their traditional participation in the targeted activities or their proportion of the population, whichever is higher.

(4) Instruct Agency staff and contractors that, if a country strategy, program, or project is not designed so that assistance will reach women in the proportion specified in paragraph (3), they must identify in the appropriate document referred to in paragraph (2)—

(A) what the obstacles are to achieving that goal;

(B) what steps are being taken to remove or overcome those obstacles;

(C) to the extent that steps are not being taken to remove or overcome those obstacles, why they are not being taken.

(5) Ensure that project and program evaluations include an assessment of the extent to which the project integrates women in the development process and of the impact of the project or program on women, including both positive and negative implications of the project or program in enhancing the self-reliance of women and improving their incomes.

(6) Instruct Agency staff and contractors to ensure that country strategies, projects, and programs identify and take advantage of opportunities to assist women in activities that are of critical significance to their self-reliance and development, including (A) appropriate extension and related services to low-resource women who are engaged in subsistence or cash production, and (B) training, technical assistance, credit, and other services to strengthen the managerial skills and capabilities of women, with special attention to women's institutions and women entrepreneurs.

(7) Develop and implement a plan to provide training for all Washington and mission-based professional staff that provides guidance on strategies for achieving the goal of incorporating women in the planning, design, implementation, management, and evaluation of the Agency's development activities; and require universities participating in programs under title XII of chapter 2 of part I of the Foreign Assistance Act of 1961, other agencies of the United States Government, and contractors involved in carrying out programs administered by the Agency to develop and implement plans to achieve that goal.

(8) Require that efforts to achieve the goal of integrating women in to the Agency's development activities be an important factor in the personnel evaluating process for all Agency staff with responsibility for reaching that goal.

(9) In the case of education or training provided in the host country or the United States for project participants, increase training opportunities for women and make every necessary provision for addressing the specific needs of women.

(10) Ensure that the necessary steps are taken so that each of the preceding paragraphs of this subsection will be fully implemented as soon as possible but no later than by the end of fiscal year 1995, except that the following targets shall be set for implementing paragraph (9): a minimum of 30 percent of the trainees should be women by the year 1991, a minimum of 40 percent of the trainees should be women by the year 1992, and a minimum of 50 percent of the trainees should be women by the year 1993, with approximately equal levels in each region.

(11) Increase the participation of young girls in education and training programs, use incentives to encourage host countries to include girls in their programs and consider withholding assistance for programs which do not include girls as equal participants. If the agency is unable to fulfill this directive, it must report to the Congress on the reasons why this policy cannot be carried out.

(12) In order to get the greatest benefit from U.S. aid dollars and avoid duplication of effort, instruct Agency staff to make the maximum use of data, program design and management structure already established

by multilateral institutions or other national agencies.

(13) Establish within the Agency a task force on women in development. The task force shall consist of the director of the Women in Development office and senior-level staff from each of the regional and technical bureaus who are in decision-making positions regarding the integration of women in the operations of their bureau. The task force shall be responsible for—

(A) overseeing the implementation of this Act,

(B) assisting Agency missions in developing strategies to overcome the obstacles to integration of women in the development process that have been identified by the missions, by indigenous people and organizations, and by other evaluations of Agency programs;

(C) designing means for ensuring that staff at all levels of the Agency are subject to appropriate accountability for achieving the goals of incorporating women in the development process; and

(D) establishing specific criteria for measuring and evaluating the Agency's performance in incorporating women in development activities, and developing ways to institutionalize learning within the Agency on women in development activities.

(b) FUNDING FOR WOMEN IN DEVELOPMENT ACTIVITIES.—Section 113(b)(1) of the Foreign Assistance Act of 1961 is amended—

(1) by striking out "Up to \$10,000,000" and inserting in lieu thereof "Not less than \$10,000,000";

(2) by inserting "and section 667(a)" after "this chapter"; and

(3) by adding at the end the following: "Beginning in fiscal year 1990, not less than \$8,000,000 of the funds used each fiscal year pursuant to this subsection shall be made available as matching funds to support those activities of the missions of the agency which demonstrate potential for integrating women into the programs of those missions."

(c) REPORTS TO CONGRESS.—Not later than March 1, 1991, and every second year thereafter, the Administrator of the Agency for International Development shall report to the Congress on—

(1) the specific steps taken as of the time of the report in implementing each paragraph of subsection (a);

(2) the additional steps to be taken to implement each such paragraph; and

(3) the use of funds pursuant to the amendments made by subsection (b).

#### SEC. 4. FUNDING FOR CERTAIN UNITED NATIONS ORGANIZATIONS.

In addition to amounts otherwise authorized to be appropriated to carry out chapter 3 of part I of the Foreign Assistance Act of 1961 (relating to international organizations and programs), there is authorized to be appropriated, without fiscal year limitation, \$5,000,000. Of the amounts appropriated pursuant to this section, 80 percent shall be available only for the United Nations Development Fund for Women and 20 percent shall be available only for the United Nations International Research and Training Institute for the Advancement of Women.

[From the Christian Science Monitor, Mar. 15, 1989]

#### BANKING ON A BETTER LIFE

(By Kristin Helmore)

HARAN NAGAR, BANGLADESH.—Along the sandy banks of the Dhaleswari River, a tranquil tributary of the Ganges in water-

logged Bangladesh, there is perpetual movement. This country, the size of Wisconsin, has nearly 110 million people. Villages are strung in an endless chain of jute-stick huts on the higher ground above the riverbanks. Lines of men trudge along the shores, straining forward against ropes that haul huge, ancient, square-sailed ships up the middle of the river.

The men will talk and laugh with a visitor as they walk. But the women washing clothes at the river's edge hide their faces in their saris and turn away as if trying to erase themselves when a stranger comes near.

Most Bangladeshi women behave this way with strangers, following the Muslim custom of *purdah* (which literally means "curtain") and centuries of tradition that have left most of them timid, uneducated, and insecure.

In some villages, the women stand tall when visitors approach. They hold up their heads and, with a beguiling mixture of pride and shyness, look strangers in the eye. Then they do something even more unexpected: give a crisp, energetic, military-style salute in greeting.

What has changed these women's behavior, their perception of themselves—indeed, their economic standing, and their very status in their communities?

A bank.

The Grameen Bank (*grameen* means village in Bengali) provides \* \* \* but it exemplifies the underlying objective of the bank: to uplift the poorest and most oppressed members of one of the world's poorest, most tradition-bound societies.

"We wanted to get rid of these women's habit of being nonentities," says Dr. Yunus, who earned his economics degree at Vanderbilt University in the United States.

"They normally hide their faces, and when they *salaam* [the traditional Muslim greeting], they touch their forehead with a limp hand. Somebody thought of the salute, which is like a *salaam* but with a very important difference. You can't hide your face and salute at the same time. You have to stand up tall."

Grameen is a bank tailor-made for the poorest—for those who have no access to commercial banks but must resort to begging from local landowners or borrowing from moneylenders who charge 10 percent per month or more. At the Grameen Bank, one must be landless to qualify for a loan. (About 60 percent of Bangladeshis are considered landless, even though many of them do own tiny plots of about one-fifth of an acre.) About 82 percent of Grameen's borrowers are women—the poorest of the poor.

"Women see the worst kind of poverty, because women are the ones who must feed people," says Yunus. "If you give a chance to the women, they become much better fighters against poverty than men. A woman sees much further into the future than a man does. She always wants to have a better life for her children. Given an opportunity, she works for the future."

"And it is usually the very desperate ones who come [for a loan]. Often it's women abandoned by their husbands. That is who the Grameen Bank was created for—those who have no means at all."

The loans are small—the average amount for a first-time loan is \$65. With the exception of housing loans, the credit provided is "venture capital" for enterprises like rice-husking, weaving, or the production and sale of vegetables, eggs, or milk. To ensure that the women receive advice and encour-

agement from their peers in formulating business plans, they must form groups of five to take out a loan. If a borrower has difficulty repaying her loan, the other members of her group help.

The bank's capital comes from government loans made at 2 percent interest, financed by aid from Canada, Norway, Sweden, West Germany, and other donors. All operating expenses, including opening branches and salaries of some 6,000 branch employees, are covered by the 16 percent interest per annum the bank charges borrowers.

The Grameen Bank model has gained such a following that virtually all of Bangladesh's development programs will soon adopt its credit-intensive approach, according to a leading government planner. And Grameen's system is being replicated in Malawi, Burkina Faso, Mali, Ivory Coast, and Tanzania, as well as the south side of Chicago, rural Arkansas, and other parts of the United States.

The idea of banks—of dealing with strangers and handling money—is so foreign to these women that taking the first step can be frightening. Hence, each group elects a leader who they feel will give them courage.

"Setera was braver than the rest of us," says one woman of her group leader. "We were all hesitating, but she said, 'Why worry? Either we will die or we will live like human beings.' So she mustered the courage for everyone."

Several groups of borrowers form a "center" that meets once a week with a representative from the nearest of the bank's 464 branches. Over a 50-week period, members pay off the principal of their loans at 2 percent a week, and the 16 percent interest in two more weeks. At the end of the 52 weeks, borrowers who are paid up qualify for a larger loan. Grameen's repayment rate is 98 percent.

The material benefits of using the bank are obvious; Nutrition levels rise, living conditions improve, and drudgery is replaced with productive activity.

"Now we can spend more money on food," says borrower Alaka Parveen. Small and slight, she is dressed in a beautiful, vibrant combination of colors: a yellow and red sari over a red and white striped blouse. "Before we never could give milk or eggs to our children. Now they eat these and we do, too."

Nurun Nahar, in the village of Boromohordi, has taken two loans so far, the first for raising winter vegetables, the second for husking rice. She became eligible for a house loan, conditional on the willingness of her husband to transfer ownership of his tiny plot of land to his wife. He did, and she got the house loan.

Since women in Bangladesh cannot inherit property, Grameen has developed the transfer scheme to enhance the financial security of its female borrowers. Housing loans are available only when ownership of the land is in the wife's name.

"Housing for the poor means a place to work, to get proper rest, and a place for storage," says Muzammel Huq, Grameen's employee training director. "A person working without a shelter is like a soldier without ammunition."

Today, Mrs. Nahar has a relatively large, two-room house with a tin roof—an important asset that allows families to "camp out" during floods. Despite the tin roof, the house is quite cool, thanks to cross-ventilation. It is spotlessly clean, neat, and beautiful. The jute-stick interior wall is woven into graceful designs of fish. A folded mos-

quito net hangs from a rafter over the bed, and a loom sits in one corner.

This house has increased Nahar's productivity. "In our old house we had no [electric] current," she says. "I used to go to bed very early. Now I can work at my weaving until 12." Electricity is much cheaper than buying weekly supplies of kerosene.

Increased work efficiency has come to Nahar's neighbor Hasin Banu, too, thanks to the installation of a tube well that her group of borrowers paid for jointly—supplied at a special low price, subsidized by UNICEF.

"Before, I had to walk a mile, three or four times a day, to get my cooking and drinking water, which was not pure," says Mrs. Banu. "This water is good to drink, and now I use the time I save for spinning thread."

Grameen borrowers are required to save 1 taka per week (about 3 cents) plus 5 percent of each loan amount. In the bank branch in nearby Bramundhi, six women dressed in flowing black robes, with only their hands and faces showing, sit waiting to make deposits in, or withdrawals from, their savings accounts. This is standard attire for trips to the bank. (Women in *purdah* must be covered if they venture out of the vicinity of their homes.)

This branch has 1,800 borrowers; it has made 340 house loans and financed the installation of nine tube wells. Grameen savings accounts pay 8.5 percent, and bank branches provide other benefits, too, such as training workshops for group leaders.

Out of group discussions in these workshops evolved what the bank calls "the 16 decisions." This list of guidelines starts with the four principles—discipline, unity, courage, and hard work. It includes the decision to educate one's children, keep one's family small, one's house in good repair, one's children eating plenty of vegetables, and the marriages of one's sons and daughters free from "the curse of dowry"—an entrenched custom that drains the finances of many families and may put them in debt for years.

"I estimate that 50 percent of our borrowers now use family planning," says branch manager Rafiqul Islam. "Before joining the bank, only a few used it."

Peyera Begum was married at age 9 and had her first child at 13. Now 27 with four children, she uses birth control. Though she had only two years of primary school, she is confident she will be able to send her children through high school and dreams of sending them to a university.

Bank officers say that when borrowers start earning, they usually want to have fewer children so they can devote more time to their businesses. And they realize they can care for a small family better than a large one. Mrs. Begum has a grocery shop and has come to withdraw savings to buy additional stock.

Improved nutrition, housing, water supply, health care, family planning, and education are the benefits most designers of third-world development projects strive for. But when you ask Grameen bank clients what the bank has meant to them, they talk as much of intangibles as of improvements in their living conditions. Often their achievements as entrepreneurs result in better relations with their families.

"Our husbands recognize that we are helpful members of the family and not a liability," says Mrs. Parveen in Haran Nagar. "They show us more affection than they did before."

Shahar Banu, who lives in the neighboring Hindu village of Krishna Nagar, agrees. "Now my husband and son consult me when they do anything. Before, they didn't know I existed."

And Mrs. Banu sees a marked improvement in her relations with the local landowners. "Before, the greeting was only one way: We always greeted them. Now they greet us."

"Our husbands never used to listen to us before," echoes Shob Mehri in Haran Nagar. "Now they listen because we have capital. Also, we have saved them the humiliation inflicted by well-to-do people. They don't feel ashamed any more. They have been freed from subjugation and they feel grateful."

Criticism of the bank flares up now and then, on the part of land-owners who find it more difficult to hire cheap labor, and on the part of religious leaders. The latter group claims that the teachings of Islam are being eroded when women start to go out of their homes to work. But according to Mr. Huq, the women have a ready answer to such charges.

"When I was begging in the streets," they say, "how come Islam was not in danger then?"

By Mr. FORD:

S. 874. A bill to establish national voter registration procedures for Presidential and congressional elections, and for other purposes; to the Committee on Rules and Administration.

#### NATIONAL VOTER REGISTRATION ACT

● Mr. FORD. Mr. President, I have introduced today the National Voter Registration Act of 1989, which is identical to H.R. 15 which was introduced earlier this Congress in the House of Representatives by Mr. SWIFT. A hearing on this bill will be held by the Committee on Rules and Administration this Wednesday, May 3.

Last Congress the Committee on Rules and Administration held two hearings on voter registration and voter turnout in elections. The 1988 election, with its very low voter turnout, demonstrated once again that something must be done to increase the number of voters in our elections. The testimony and information received by the committee made it clear that while changes in registration procedures do not necessarily result in increased voter turnout, they have effectively increased the pool of citizens who are eligible to vote.

I believe that this bill will provide our States with the means to increase their voter rolls without undue additional costs by using existing State and Federal agencies. Its provision that would tie-in driver license applications and renewals with voter registration alone presents an opportunity to reach some 90 percent of the voting age population. It is a workable and cost-efficient approach to the problem of low registration and voter turnout.

Mr. President, I think it is important that any law enacted in this area not

intrude unnecessarily on the election administration functions of our States, nor significantly increase their costs of conducting elections. The bill I have introduced will have the effect of significantly increasing the number of people on our voting roles without violating either of these objectives.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

#### S. 874

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Voter Registration Act of 1989".

#### SEC. 2. NATIONAL PROCEDURES FOR VOTER REGISTRATION FOR PRESIDENTIAL AND CONGRESSIONAL ELECTIONS.

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other provision of Federal law or any provision of State law, in addition to any other method of voter registration provided for under State law, each State shall establish procedures with respect to Presidential elections and Congressional elections to permit voter registration—

(1) by application in person simultaneous with application for a motor vehicle driver's license pursuant to section 3;

(2) by mail application under section 4; and

(3) by application in person—

(A) at the appropriate registration site designated with respect to the residence of the applicant in accordance with State law; or

(B) at a Federal, State, or private sector location designated under section 5.

(b) NONAPPLICABILITY TO CERTAIN STATES.—This Act does not apply to any State that has no voter registration requirement with respect to Presidential elections and Congressional elections.

#### SEC. 3. SIMULTANEOUS APPLICATION FOR VOTER REGISTRATION AND APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.

(a) IN GENERAL.—Except as provided in subsection (b), each State motor vehicle driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall also serve as an application for voter registration with respect to Presidential elections and Congressional elections. An application for voter registration so submitted supersedes any previously submitted application for voter registration and invalidates any previous registration for the individual involved.

(b) EXCEPTION.—An individual referred to in subsection (a) may decline in writing to be registered by means of the motor vehicle driver's license application.

(c) FORMS AND PROCEDURES.—Each State shall include a voter registration application for Presidential elections and Congressional elections as part of any form used to apply for a State motor vehicle driver's license. The voter registration application portion of the form—

(1) may not require any information that duplicates information required in the driver's license portion of the form;

(2) shall include a box or other device to permit an applicant to decline to register, as provided in subsection (b);

(3) shall require only sufficient information to prevent duplicate voter registration and otherwise to enable the appropriate State election official to assess the eligibility of the applicant;

(4) shall include a statement of penalties provided by law for submission of a false voter registration application; and

(5) shall be made available to the appropriate State election official as provided by State law.

(d) CHANGE OF ADDRESS.—Any change of address form submitted in accordance with State law for purposes of a State motor vehicle driver's license shall also serve as notification of change of address for voter registration with respect to Presidential elections and Congressional elections for the individual involved.

#### SEC. 4. MAIL REGISTRATION.

(a) FORM.—Each State shall develop a mail voter registration form for Presidential elections and Congressional elections. The form shall—

(1) require only sufficient identifying information, including the signature of the applicant, to enable the appropriate State election official to assess the eligibility of the applicant; and

(2) include a statement of penalties provided by law for submission of a false voter registration application.

A form under this section may not include any requirement for notarization or other formal authentication.

(b) AVAILABILITY OF FORMS.—The chief State election official of each State shall make the form available for government and private sector distribution, with particular emphasis on availability for organized voter registration programs.

#### SEC. 5. VOTER REGISTRATION LOCATIONS.

(a) DESIGNATION.—Each State shall designate appropriate State offices and (upon agreement with the Federal Government and nongovernmental entities) Federal and private sector offices as locations, with respect to registration for Presidential elections and Congressional elections. At each such location, the following services shall be made available: (1) distribution of voter registration applications, (2) assistance to applicants in completing such applications, and (3) acceptance of completed applications for transmittal to the appropriate State election official. Offices designated under this subsection shall include offices providing public assistance, unemployment compensation, and related services.

(b) FEDERAL GOVERNMENT AND PRIVATE SECTOR COOPERATION.—All departments, agencies, and other entities of the executive branch of the Federal Government shall, to the greatest extent practicable, cooperate with the States in carrying out subsection (a), and all nongovernmental entities are encouraged to do so.

#### SEC. 6. REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.

(a) IN GENERAL.—In the administration of voter registration for Presidential elections and Congressional elections, each State shall—

(1) assure that any eligible applicant is registered to vote in the election—

(A) in the case of registration with a motor vehicle application under section 3, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than 25 days before the date of the election;

(B) in the case of registration by mail under section 4, if the valid voter registration form of the applicant is postmarked not later than 25 days before the date of the election;

(C) in the case of registration at a location designated under section 5, if the valid voter registration form of the applicant is accepted at the location not later than 25 days before the date of the election; and

(D) in any other case, if the valid voter registration form of the applicant is received by the appropriate State election official not later than 25 days before the date of the election;

(2) require the appropriate State election official to notify each applicant for registration of the disposition of the application; and

(3) provide that the name of a voter may not be removed from the official list of eligible voters other than (A) at the request of the voter, (B) by reason of the death of the voter, (C) as provided by State law, by reason of criminal conviction, mental incapacity, or change in residence of the voter, or (D) for failure to vote in each of 2 consecutive Presidential general elections and at least one Congressional election or election for State office between such 2 consecutive Presidential general elections.

(b) SPECIAL RULE.—A State may not, under subsection (a)(3)(D), provide for removal of the name of a voter from the official list of eligible voters if the voter registers with a motor vehicle application under section 3 and continues to hold a valid driver's license.

#### SEC. 7. FEDERAL COORDINATION AND REGULATIONS.

The Federal Election Commission—

(1) shall be responsible for coordination of Federal functions under this Act; and

(2) in consultation with the chief election officers of the States, the heads of the departments, agencies, and other entities of the executive branch of the Federal Government, and appropriate individuals from the private sector, shall prescribe such regulations as may be necessary to carry out the provisions of this Act.

#### SEC. 8. DESIGNATION OF CHIEF STATE ELECTION OFFICIAL.

Each State shall designate a State officer or employee as the chief State election official, to be responsible for coordination of State functions under this Act.

#### SEC. 9. ENFORCEMENT.

The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out the provisions of this Act.

#### SEC. 10. PRIVATE RIGHT OF ACTION.

An individual aggrieved by a violation of this Act may file a complaint of the violation with the chief election officer of the State involved. If the complaint is not resolved within 90 days after the filing, the individual may bring a civil action in an appropriate district court for declaratory and injunctive relief with respect to the violation.

#### SEC. 11. DEFINITIONS.

As used in this Act—

(1) the term "motor vehicle driver's license" includes any personal identification document issued by a State motor vehicle authority;

(2) the term "Presidential election" means a primary election or general election for the office of President or Vice President; and

(3) the term "Congressional election" means a primary election, special election, or general election for the office of Senator or Representative.

#### SEC. 12. EFFECTIVE DATE.

The requirements of this Act shall apply with respect to Presidential elections and Congressional elections held after date of the Presidential general election of 1992.●

By Mr. KASTEN (for himself and Mr. LEAHY):

S. 875. A bill to prohibit United States contributions to the United Nations or any of its affiliated organizations if full membership as a state is granted to any organization or group that does not have the internationally recognized attributes of statehood; to the Committee on Foreign Relations.

#### PLO ADMISSION TO UNITED NATIONS ORGANIZATIONS

● Mr. KASTEN. Mr. President, I am pleased to introduce legislation along with the chairman of the Foreign Operations Subcommittee, PATRICK LEAHY, which would cut off all U.S. financial contributions to any United Nations agency which admits the PLO as a "member-state".

Our legislation, which is a companion bill to one introduced in the House by Congressmen, LANTOS, SMITH of New Jersey, SMITH of Florida, and BE-REUTER, tracks the position laid out in a letter sent to Secretary Baker by Senator LEAHY and myself and co-signed by 36 of our Senate colleagues.

Mr. President, this legislation also tracks the administration's position as announced today by Secretary Baker, in which he stated that he would, "recommend to the President that the United States make no further contributions—voluntary or assessed—to any international organization which makes any change in the PLO's present status as an observer organization."

It is clear to me that we have a solid and unified position on this matter. It is my sincere hope that the PLO and those who would support that organization for "member-state" status in the U.N. would recognize the significant damage that such a move could cause many of the very worthwhile programs of United Nations organizations.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 875

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States shall not make any voluntary or assessed contribution—*

(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood,

during any period in which such membership is effective.●

● Mr. LEAHY. Mr. President, I am pleased to join my good friend and colleague, the distinguished ranking member of the Foreign Operations Subcommittee, Senator KASTEN, in introducing this bill to cut off all U.S. financial contributions to any U.N. agency that gives the Palestine Liberation Organization member state status. Our bill squares with administration policy as reflected in a statement this afternoon by Secretary of State James Baker, when he said,

To emphasize the depth of our concern, I will recommend to the President that the United States make no further contributions—voluntary or assessed—to any international organization which makes any change in the PLO's present status as an observer organization.

Our bill and the Secretary's statement have their origins in a cynical move by Yasser Arafat, "the President of the State of Palestine" to apply for member state status in the World Health Organization, a U.N. specialized agency. The WHO assembly meets on May 8, and the issue of membership is decided by a simple majority. The United States is carrying on a vigorous effort to block this application, but I am informed that as of now, there is probably a majority of WHO member states, virtually all from the Third World who would vote to admit the State of Palestine.

Granting the PLO member state status in the WHO would be a calamity for the United Nations, a body which I strongly support. The PLO has made clear that, if successful in WHO, it intends to submit applications to many U.N. specialized agencies. Once the precedent is established, we can expect hostile Third World blocs to support PLO member state status in several U.N. agencies. Eventually, we will face a PLO application for recognition by the United Nations itself as the State of Palestine.

Those of us who care for the United Nations and want to see it continue to play a critical role in international peacekeeping, world health concerns, Third World development, the global environment, and a host of other issues, must act at once to show other member states the depth of our concern—and our determination that this maneuver by Arafat to undermine the Middle East peace process will not succeed. That this move is aimed at prejudicing potential peace negotiations is obvious. The letterhead used by the PLO to make its application to the WHO contains the logo State of Palestine and shows a map of the State of Israel, the West Bank and Gaza as a single entity. This is a slap in the face

of all of us who support a negotiated resolution of the Middle East conflict, including a permanent resolution of the status of the West Bank and Gaza through direct negotiations between Israel and the Palestinians themselves.

If it becomes necessary to cut off U.S. contributions to WHO, which I fervently hope it will not, as chairman of the Foreign Operations Subcommittee, I will work to ensure that U.S. funds contained in the foreign aid appropriation which would have gone to support its important work will go to fund bilateral AID health programs and the work of other international health organizations. I do not want PLO folly to result in the United States doing less to meet the urgent needs of world health.

Mr. President, Senator KASTEN and I have been working for several days now to build opposition to this PLO maneuver. We have been supported by many of our colleagues here in the Senate. I ask unanimous consent that a letter Senator KASTEN and I sent to Secretary Baker, cosigned by 36 of our colleagues, be included in the RECORD at the conclusion of my remarks.

Mr. President, I also ask unanimous consent that a "Dear Colleague" and letter to President Bush urging immediate and strong action at the highest levels in the executive branch to block this application also be included in the RECORD at the conclusion of my remarks. I urge all Senators to join us in signing this letter to the President so that there can be no misunderstanding on the part of any U.N. member state of the consequences of admitting a State of Palestine.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

#### COMMITTEE ON APPROPRIATIONS,

Washington, DC, April 13, 1989.

HON. JAMES A. BAKER III,  
Secretary of State, Department of State,  
Washington, DC.

DEAR MR. SECRETARY: We commend your opposition to a Palestinian state, which, as you have stated, would pose a threat to Israel as well as to Jordan, and would be contrary to American interests in the region.

We therefore view with alarm reported efforts by the Palestine Liberation Organization and several countries to seek recognition of the PLO as a "member-state" in the United Nations and related organizations and agencies. The acceptance of a Palestinian state in such international fora would present another obstacle to a peace process that already faces difficult challenges and would seriously weaken U.S. support for those U.N. bodies.

The PLO's declaration of statehood directly contravenes long-held U.S. policy opposing such a unilateral move and additionally contravenes all international standards relating to sovereignty. The PLO does not control territory, does not control any population and is not a government—all of which are internationally accepted attributes of a state and of statehood.

By focusing on a public relations ploy to make headlines rather than on confidence-building measures to make progress, this effort by the PLO sets the stage for continued stalemate. Therefore, we hope you will urge the PLO to drop its "statehood" theatrics and concentrate on matching its words of peace to peaceful deeds.

Mr. Secretary, such a move by the United Nations or its specialized agencies would make a mockery of all the U.N. represents. It would weaken support for the U.N. and would gravely damage the peace process because it pre-judges the outcome of the negotiating process.

Any successful move by the U.N. or related agencies to recognize the "state of Palestine" would force us to seriously consider a range of punitive action, including withholding U.S. financial participation from those agencies. It is our hope that you will use every means at your disposal to discourage this ill-advised effort. We stand ready to support you in this endeavor.

Sincerely,

Patrick J. Leahy, Daniel K. Inouye, John McCain, Phil Gramm, Paul Simon, Tom Harkin, J. Bennett Johnston, Bob Graham, Dennis DeConcini, Robert W. Kasten, Jr., Don Nickles, Carl Levin, Connie Mack, John D. Rockefeller, IV, Herb Kohl, John Heinz, Charles Grassley, Barbara Mikulski.

William S. Cohen, David L. Boren, John Glenn, William V. Roth, Jr., Rudy Boschwitz, Donald W. Riegle, Jr., Thomas A. Daschle, Pete Wilson, Thad Cochran, Orrin Hatch, Alan Cranston, Frank Lautenberg, John F. Kerry, Arlen Specter, Dan Coats, Joseph R. Biden, Jr., Christopher S. Bond, Conrad Burns, Joseph I. Lieberman, Jesse Helms.

#### COMMITTEE ON APPROPRIATIONS,

Washington, DC, April 27, 1989.

DEAR COLLEAGUE: Many of you joined us in writing to Secretary Baker on April 13 about the dire consequences for US financial participation in the World Health Organization, should the PLO be accorded "member state" status as the "State of Palestine." We hoped that a strong letter from the Senate would help energize the Administration to oppose this maneuver and send a strong signal to WHO member states of the implications of accepting the PLO application.

We have recently learned that the PLO application continues despite efforts by the State Department to dissuade it from pursuing this course. The WHO Assembly meets in Geneva on May 8, and it will be in order at that time to consider the PLO application. The issue will be decided by a simple majority vote. Many Third World members of WHO already recognize the PLO as a state, or are hostile to Israel, and it is probable that the PLO's application will receive a majority, should the issue come to a vote. Clearly, once this precedent is set, the PLO will make similar applications to other UN specialized agencies.

We are deeply concerned about the implications of this act for the United Nations and for the possibility of future negotiations between Israel and the Palestinians about the status of the occupied territories in the West Bank and Gaza. We believe the Administration must launch a strenuous effort to persuade the PLO to withdraw its application in the interests of peace in the Middle East. We urge you to join us in sending

the attached letter to the President asking that such a campaign, at the highest levels of the United States Government, begin at once.

If you would like to join us in this letter, please have your staff contact Eric Newsom (4-7284) or Jim Bond (4-7274). We need to send this letter to the President as soon as possible.

Sincerely,

ROBERT W. KASTEN, JR.  
PATRICK LEAHY.

COMMITTEE ON APPROPRIATIONS,  
Washington, DC, April 27, 1989.

The President,  
The White House.

DEAR MR. PRESIDENT: On April 13, a number of us wrote Secretary Baker of our intense concern about the application by the Palestine Liberation Organization for admission to the World Health Organization, a United Nations specialized agency, as the "State of Palestine." In that letter, we made clear that should the WHO or any United Nations agency or body accord the PLO the status of member state, we would be forced to consider a range of punitive actions, including withholding US financial participation in those agencies. We hoped our letter would send a strong signal to all members of the WHO that the reaction from the United States to admission of a "State of Palestine" would be swift, decisive and far-reaching.

Since that letter, our concern has grown even greater that too little is being done to make clear to WHO members the drastic consequences of such an act. We are writing you directly to urge that the United States Government at the highest levels immediately and strenuously emphasize to all parties, including the United Nations, the World Health Organization, other UN agencies, member states, and the PLO, the implications of according the PLO the status of "member state." No one involved in this transparent maneuver to preempt the outcome of possible future negotiations between Israel and other Arab parties should be allowed to be under the slightest illusions about the strength of the US reaction.

Mr. President, we cannot overemphasize the gravity of this situation for the future of US participation in WHO, and for other UN agencies which may find themselves in a similar situation. It is clear that if the PLO is successful in gaining admission to WHO, it is only a question of time before they apply for member state status to other UN specialized agencies and perhaps even the UN General Assembly itself. We trust the Administration will use every lever at its command to prevent such a calamity.

Respectfully,

ROBERT W. KASTEN, JR.  
PATRICK LEAHY.●

#### By Mr. HELMS:

S. 876. A bill to temporarily suspend the duty on thiothiamine hydrochloride; to the Committee on Finance.

#### TEMPORARY DUTY SUSPENSION ON THIOTHIAMINE HYDROCHLORIDE

Mr. HELMS. Mr. President, today I am introducing legislation to grant temporary duty-free status for thiothiamine hydrochloride. This is a substance used by Takeda Chemical Products USA, Inc., in the production of Thiamine, commonly known as vitamin B1.

I believe this matter should have been taken care of last Congress. However, since it wasn't, I see no reason why this bill shouldn't pass the House and the Senate expeditiously during the 101st Congress.

Takeda is a North Carolina corporation with long-range plans to develop its 1,500-acre site in Wilmington, NC, into a general manufacturing complex. The Wilmington plant was completed in the fall of 1985. They began to produce vitamin B1 in October 1985. The plant represents an investment of approximately \$14 million.

The second plant, also located in Wilmington, NC, which was recently completed, produces ascorbic acid-vitamin C. This plant represents an investment of approximately \$90 million.

Mr. President, approval of this temporary duty suspension will allow Takeda to provide vitamin B1 at a lower cost to the consumer, and it will place the company's North Carolina operation in a more competitive position with foreign competitors. Consequently, they will be able to accelerate their growth and create additional jobs in the State and regional economy.

The thiothiamine hydrochloride used by Takeda is imported from Japan. To the best of my information, thiothiamine hydrochloride is not produced in the United States and there are no other intermediates or materials which could be substituted for it in the process used to make vitamin B1.

The following chart reflects the amounts that Takeda imported from January 1, 1986, through June 30, 1987, and the duty paid:

Period	Quantity (kilogram)	Duty paid
Jan. 1, 1986 to Dec. 31, 1986	143,204	\$54,338
Jan. 1, 1987 to June 30, 1987	75,200	28,086

The following chart reflects the amounts which they expect to import from July 1, 1987, to December 31, 1991, and the duty they would pay using the current price of \$10.77 per kilogram and a duty rate of 3.7 percent:

Period	Quantity (kilograms)	Duty paid
July 1, 1987 to Dec. 31, 1987	96,200	\$38,000
Jan. 1, 1988 to Dec. 31, 1988	180,000	72,000
Jan. 1, 1989 to Dec. 31, 1989	189,000	75,000
Jan. 1, 1990 to Dec. 31, 1990	198,000	79,000
Jan. 1, 1991 to Dec. 31, 1991	208,000	83,000

Mr. President, I urge swift consideration and passage of this bill.

#### By Mr. DeCONCINI:

S. 877. A bill to require the posting on certain aircraft of information relating to the date of manufacture of the aircraft, and for other purposes; to

the Committee on Commerce, Science, and Transportation.

#### TRUTH IN AVIATION ACT OF 1989

● Mr. DeCONCINI. Mr. President, I am introducing the Truth in Aviation Act of 1989 today to guarantee accessibility of vital aircraft information to each passenger who climbs aboard a commercial airplane.

Recently, reports in newspapers indicate that some passengers on commercial flights inquire about the age of the aircraft. Allegedly, at least one large air carrier advises its attendants not to disclose the age of the aircraft. In fact, the carrier instructs the attendants to mislead the passenger by telling him or her the average age of aircraft in the carrier's fleet.

Mr. President, I ask unanimous consent that a copy of an article from the Washington Post on this issue be printed in the CONGRESSIONAL RECORD immediately following the conclusion of my remarks.

Under these circumstances, how can a passenger make an informed decision whether or not to stay on board? This legislation will provide passengers with the information necessary to make an informed choice based on accurate data. The passenger has a right to know the truth, particularly in light of the seriousness of the choice the passenger makes when entrusting his or her safety to the air carrier and crew.

I do not want to give the impression that failure to fully disclose information occurs routinely. However, with the recent airline tragedies in the forefront of our media, some passengers are concerned about the age and the safety of the plane. This legislation targets those passenger's concerns by requiring the air carrier to post information disclosing the age of the aircraft and the date of the last FAA inspection.

Not only will this notification requirement protect the passengers' right to full disclosure, it will also advance safety practices through consumer education. Congress has found that public awareness promotes aviation safety.

Some assume that making this type of information available will unnecessarily cause fear among passengers and delays in take-off. Passengers waiting in line will stop to read the notice as they board. Those who decide to disembark will be blocked from doing so, thereby delaying the boarding process.

The concern for delays, however, is misplaced. Currently, all McDonnell-Douglas planes post a data plate which clearly displays the date of manufacture of the plane. This data plate has not proven to contribute to long delays or to cause passengers to panic.

Since all planes are structured differently, how does this legislation

define the place where the air carrier must display the notice? This legislation requires that the carrier display the notice in an appropriate place on the airframe. This means, among other things, a place easily recognizable by persons of average height and average eyesight. Alternatively, the air carrier could include the information on the Airworthiness Certificate.

Presently, the FAA requires air carriers to post an Airworthiness Certificate which documents various information about the plane. This information includes the nationality, registration, manufacturer, model, serial number, category of use, authority and basis for issuance of the certificate, terms and conditions of the certificate, date of issuance of the certificate, the name of the FAA inspector or representative, and the designation number. I am proposing that we merely add the date of manufacture and the date of the last FAA inspection to the information already provided on the Certificate, thereby providing this information to any passenger who wants it.

In addition to posting vital information on the airframe, air carriers will continue to have other voluntary options which this legislation does not prohibit. For instance, an air carrier could also post the information just outside the entrance to the plane. Passengers that want to know can merely step aside and read the notice while the plane continues to board. Any passenger that opted not to take that plane could simply not board. This passenger would cause no problems to the boarding aircraft since he or she would not be in line. Furthermore, other passengers would not block this passenger from deplaning if he or she chose not to board.

Some people argue that notifying passengers of the age of the aircraft or the date of the last FAA inspection misleads passengers into believing that age and FAA inspection are critical factors in air safety. While it is true that the age of a plane and the date of the last FAA inspection do not necessarily reflect its safety, the passenger is entitled to accurate information concerning the aircraft he or she is preparing to board.

If the air carrier is concerned that passengers will react negatively toward the age of the plane, the air carrier could inform the passenger why the age does not necessarily detract from its safety. Air carriers with an older fleet are free to print informative flyers. Alternatively, the carrier could print this information directly on the passenger's ticket. The flyer or ticket could indicate that the plane is in excellent condition due to an excellent maintenance log or airframe or other modifications that would substantially increase the safety of the aircraft.

Mr. President, aviation safety is of great concern to all Americans. Our government must respond in every manner possible, including facilitating the dissemination and improvement of information concerning commercial aircraft. I urge my colleagues to join me in this effort to improve aviation safety.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 877

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Truth in Aviation Act of 1989".

#### FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) some passengers on commercial aircraft inquire and want to know the age of the aircraft or the date of the last Federal Aviation Administration inspection of the aircraft that they are scheduled to fly on in order to make an informed decision as to whether they want to remain on the aircraft;

(2) consumer air carriers are not fully disclosing the age of aircraft or the last date of a Federal Aviation Administration inspection to passengers that are traveling on the aircraft;

(3) the consumer marketplace is one of the best means of improving aviation standards and compliance with Federal Aviation Administration regulations; and

(4) the power of Federal agencies to impose civil monetary penalties for violations of Federal laws and regulations plays an important role in deterring violations and in furthering the policy goals embodied in such laws and regulations. (b) The purposes of this Act are to—

(1) guarantee passengers' accessibility of information pertaining to the age of the aircraft and the date of the last Federal Aviation Administration inspection of the aircraft in which they are scheduled to travel;

(2) promote safety in aviation through public awareness of information pertaining to aircraft used by commercial air carriers; and

(3) promote policy goals and compliance with laws and regulations relating to aircraft by imposing a civil monetary penalty for violation of aircraft laws and regulations.

#### REGULATIONS

SEC. 3. (a) Within the 90-day period following the date of the enactment of this Act, the Secretary of Transportation shall, by regulation, require each commercial air carrier engaged in the transportation of passengers in intrastate, interstate, overseas, or foreign air transportation to prominently display in an appropriate location on each aircraft a notice stating the date of the manufacture of such aircraft and the date on which such aircraft received its most recent inspection by the Federal Aviation Administration. Such notice may be included as a part of the Airworthiness Certificate displayed in such aircraft.

(b) For purposes of this section, "to prominently display" means, among other things, a place easily recognizable by persons of average height and average eyesight.

#### CIVIL PENALTY

SEC. 4. The Secretary of Transportation is authorized to impose a civil penalty on any air carrier violating the requirements of this Act, or any regulation issued pursuant thereto. Such penalty shall be in an amount not to exceed \$10,000.

#### DON'T DISCLOSE JETS' AGE, UNITED URGES ATTENDANTS

(By Laura Parker)

Concerned over public fears about aging aircraft, United Air Lines has asked its flight attendants not to tell passengers the age of the airliner on which they are flying.

The airline said it has been receiving more inquiries from passengers about the age of its aircraft after an accident last month in which the fuselage of a United Boeing 747 tore open in flight over the Pacific after a forward cargo door broke away. Nine people were swept to their deaths and 27 were injured.

"To avoid increasing a potentially high level of customer anxiety, please use the following responses when queried by customers," United wrote in a memorandum recently circulated to its flight attendants. "Question: How old is this aircraft? Answer: I'm unaware of the age of this particular aircraft. However, the average age of United aircraft is 13.5 years. Question: How can I be sure that this aircraft has received proper maintenance? Answer: All of United's aircraft are maintained under strict service regimens which meet or exceed FAA [Federal Aviation Administration] maintenance requirements."

A Washington-based United flight attendant who asked not to be identified said she was uncomfortable ducking the issue with passengers. "They're asking us to lie, when the age of the aircraft is on every airplane," she said.

Another flight attendant, who flies United's Pacific routes, said he believes passengers deserve to know a plane's age if they ask. "It's like buying a used car. They want to know how old the car is," he said.

United spokesman Joe Hopkins said the airline's reservations clerks have been asked by callers for aircraft age, something reservations clerks do not know.

"When the customer asks the question, we want to give them an answer, so we give them the average," Hopkins said, adding that flight attendants are not prohibited from providing the aircraft's age if they know it.

The date of manufacture appears on a small metal plate set into the frame of the forward passenger door of all 83 McDonnell-Douglas aircraft that United flies, including DC10s and 21-year-old DC8s.

A similar metal plate can be found just inside the forward passenger door on all Boeing aircraft, which make up the bulk of United's fleet. The plate gives the aircraft's serial number, model number and production number but not the date of manufacture.

The FAA requires that all aircraft display an airworthiness certificate, which carries the date the aircraft was certified. The certification date does not necessarily reflect the jet's age; aircraft that are modified would have no more recent certification date.

With 40 percent of its fleet estimated to be 20 years old or older, United has begun a

fleet renewal program and has been acquiring new aircraft and selling off some older models. United's 28 DC8s were manufactured in 1967, although they were substantially modified and upgraded in 1985. The oldest 727 models are of 1962 vintage. ●

By Mr. GRASSLEY (for himself and Mr. DOLE):

S.J. Res. 112. Joint resolution designating May 29, 1989, as the "National Day of Remembrance for the Victims of the U.S.S. *Iowa*"; to the Committee on the Judiciary.

#### NATIONAL DAY OF REMEMBRANCE FOR THE VICTIMS OF THE U.S.S. "IOWA"

Mr. GRASSLEY. Mr. President, I rise today to offer a resolution to establish May 29, 1989, as "National Day of Remembrance for the Victims of the U.S.S. *Iowa*."

This resolution would ask the President to proclaim a day for Americans to honor the victims of this tragedy, their families, their friends, and their colleagues at sea.

We cannot change the events of April 19. But on May 29, as the Nation observes Memorial Day, we can remember especially the 47 men who died in an accidental explosion inside gun turret No. 2 aboard the U.S.S. *Iowa*. These men are but the most recent Americans who have made the supreme sacrifice for their country.

On occasions such as the tragedy aboard the U.S.S. *Iowa*, we are reminded of the costs of liberty. Every day, this great Nation thrives because we have held steadfastly to the principles of freedom, liberty, democracy, and independence. Throughout our past, when Americans have been called at crucially important moments to defend our liberties, they have responded with courage and patriotism. Though the sailors aboard the U.S.S. *Iowa* served in peacetime, they met the same unfortunate fate as those who served in war. We will regard their efforts as equally honorable.

On April 19, 1775, freedom-loving people took up arms and started a revolution. Now, 215 years later, on April 19, 1989, 47 patriotic men were killed in the same never-ending cause: To ensure that Americans will forever live in freedom.

Mr. President, every Member of this body shares the grief felt by the families and friends of the victims of the U.S.S. *Iowa*. To those people, we offer our sympathies, our respect, and a promise that we will not soon forget their contributions to the United States of America.

By Mr. DIXON (for himself, Mr. FORD, Mr. D'AMATO, and Mr. SHELBY):

S.J. Res. 113. Joint resolution prohibiting the export of technology, defense articles, and defense services to codevelop or coproduce the FSX aircraft with Japan; to the Committee on Foreign Relations.

#### RESOLUTION OF DISAPPROVAL OF FSX FIGHTER-JET PROGRAM

Mr. DIXON. Mr. President, I send to the desk a joint resolution of disapproval and ask that it be read.

Mr. President, the administration on Friday announced that it had reached an agreement with the Japanese Government on the proposed FSX fighter-jet program. This is a very bad deal for America.

Just a few weeks ago, the General Accounting Office presented its preliminary findings on this codevelopment Japanese FSX aircraft program. To sum up the GAO conclusions in a few words: "We know what the Japanese are getting from the United States; we don't know what we are getting from the Japanese!"

Why are we making this deal? We are making this deal giving away our technology, in my opinion, for political expediency. We are giving up something the Japanese do not have: The ability to integrate systems.

What do we get in return? We get unproven composite wing technology which the Japanese have not produced, and which many of our leading aircraft companies already have. We also are to receive new radar technology which has not been proven. Here again we have United States companies far ahead of the Japanese in this specialty.

If this deal is not killed by Congress, we are entering into an agreement with a country that has made it a prime industrial policy to shut down American industries. We are entering into an agreement with a country that has not lived up to its previous agreements on such programs as semiconductors.

On the same day the President announced the FSX deal, the administration ordered trade sanctions against Japan for not keeping an agreement to open its telecommunications market to American cellular phones and mobile radios. We have signed an agreement with a country whose Government and industries keep domestic prices high so the Japanese can sell their products lower in our country.

This is a country, Mr. President, whose economy has been able to grow because our American taxpayers have, since the end of World War II, provided Japan protection through our conventional and nuclear arms and troops. We have just recently helped protect Japan by assuring the free flow of oil through the Persian Gulf. Now they have nerve to tell us their country will not buy off the shelf the world's best fighter plane, the F-16.

This is a poor business deal; it is a poor investment in America's future.

This agreement should not have been fine tuned. This agreement should not have been negotiated. This agreement should be scrapped. I urge

my colleagues to join me in supporting my joint resolution to prohibit this FSX deal.

Mr. President, I ask unanimous consent that this joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 113

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the proposed export of technology, defense articles, or defense services pursuant to an agreement with Japan described in subsection (b) to codevelop or coproduce the Support Fighter Experimental (FSX) aircraft is prohibited.

(b) An agreement referred to in subsection (a) is an agreement for which the President submitted a certification pursuant to section 36(d) of the Arms Export Control Act on May 1, 1989 (transmittal no. 89-).

#### ADDITIONAL COSPONSORS

S. 9

At the request of Mr. DOLE, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 9, a bill to amend title II of the Social Security Act to phase out the earnings test over a 5-year period for individuals who have attained retirement age, and for other purposes.

S. 38

At the request of Mr. WILSON, the name of the Senator from Wyoming [Mr. SIMPSON] was added as a cosponsor of S. 38, a bill to make long-term care insurance available to civilian Federal employees, and for other purposes.

S. 39

At the request of Mr. ROTH, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 39, a bill to amend the National Wildlife Refuge Administration Act.

S. 69

At the request of Mr. D'AMATO, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 69, a bill entitled the Posse Comitatus Improvement Act of 1989.

S. 89

At the request of Mr. SYMMS, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 89, a bill to delay for 1 year the effective date for section 89 of the Internal Revenue Code of 1986.

S. 120

At the request of Mr. KENNEDY, the names of the Senator from Washington [Mr. ADAMS] and the Senator from Texas [Mr. BENTSEN] were added as cosponsors of S. 120, a bill to amend the Public Health Service Act to reauthorize adolescent family life demonstration projects, and for other purposes.

S. 184

At the request of Mr. D'AMATO, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 184, a bill to amend title II of the Social Security Act to protect the benefit levels of individuals becoming eligible for benefits in or after 1979 by eliminating the disparity (resulting from changes made in 1977 in the benefit computation formula) between those levels and the benefit levels of persons who became eligible before 1979.

S. 198

At the request of Mr. HATCH, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 198, a bill to amend title 17, United States Code, the Copyright Act to protect certain computer programs.

S. 231

At the request of Mr. MOYNIHAN, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Tennessee [Mr. GORE], the Senator from Maryland [Ms. MIKULSKI], the Senator from Pennsylvania [Mr. HEINZ], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of S. 231, a bill to amend part A of title IV of the Social Security Act to improve quality control standards and procedures under the Aid to Families With Dependent Children Program, and for other purposes.

S. 355

At the request of Mr. RIEGLE, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 355, a bill to amend the Internal Revenue Code of 1986 to extend through 1992 the period during which qualified mortgage bonds and mortgage credit certificates may be issued.

S. 430

At the request of Mr. DASCHLE, the names of the Senator from Alabama [Mr. SHELBY] and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of S. 430, a bill to amend title XIX of the Social Security Act to provide coverage for certain outreach activities undertaken at the option of a State for the purpose of identifying pregnant women and children who are eligible for medical assistance and assisting them in applying for and receiving such assistance, and for other purposes.

S. 431

At the request of Mr. NUNN, the names of the Senator from Nevada [Mr. REID], the Senator from Kansas [Mrs. KASSEBAUM], the Senator from Oregon [Mr. HATFIELD], the Senator from Maine [Mr. COHEN], the Senator from Indiana [Mr. LUGAR], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Tennessee [Mr. SASSER], and the Senator from Oklahoma [Mr. BOREN] were added as cosponsors of S. 431, a bill to authorize

funding for the Martin Luther King, Jr., Federal Holiday Commission.

S. 447

At the request of Mr. BOSCHWITZ, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 447, a bill to require the Congress and the President to use the spending levels for the current fiscal year (without adjustment for inflation) in the preparation of the budget for each new fiscal year in order to clearly identify spending increases from one fiscal year to the next fiscal year.

S. 458

At the request of Mr. DECONCINI, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 458, a bill to provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans and Nicaraguans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans and Nicaraguans, and for other purposes.

S. 461

At the request of Mr. GRASSLEY, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of S. 461, a bill to amend title XVIII of the Social Security Act to permit payment for services of physician assistants outside institutional settings.

S. 464

At the request of Mr. SANFORD, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 464, a bill to promote safety and health in workplaces owned, operated, or under contract with the United States by clarifying the United States' obligation to observe occupational safety and health standards and clarifying the United States' responsibility for harm caused by its negligence at any workplace owned by, operated by, or under contract with the United States.

S. 480

At the request of Mr. COCHRAN, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 480, a bill to authorize the several States and District of Columbia to collect certain taxes with respect to sales of tangible personal property by nonresident persons who solicit such sales.

S. 491

At the request of Mr. CHAFEE, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 491, a bill to reduce atmospheric pollution to protect the stratosphere from ozone depletion, and for other purposes.

S. 511

At the request of Mr. INOUE, the name of the Senator from Illinois [Mr.

DIXON] was added as a cosponsor of S. 511, a bill to recognize the organization known as the National Academies of Practice.

S. 519

At the request of Mr. LAUTENBERG, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 519, a bill to prohibit smoking on any scheduled airline flight in intrastate, interstate, or overseas air transportation.

S. 520

At the request of Mr. DECONCINI, the names of the Senator from Florida [Mr. MACK] and the Senator from North Dakota [Mr. BURDICK] were added as cosponsors of S. 520, a bill to encourage the States to enact legislation to grant immunity from personal civil liability, under certain circumstances, to volunteers working on behalf of nonprofit organizations and governmental entities.

S. 555

At the request of Mr. GRAHAM, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Georgia [Mr. FOWLER], and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of S. 555, a bill to establish in the Department of the Interior the De Soto Expedition Trail Commission, and for other purposes.

S. 569

At the request of Mr. BOND, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 569, a bill to establish a grant program for States to enable such States to expand the choices available for the provision of affordable child care, and for other purposes.

S. 583

At the request of Mr. FOWLER, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 583, a bill to establish national standards for the manufacture and labeling of certain plumbing products in order to conserve and protect water resources, and for other purposes.

S. 596

At the request of Mr. D'AMATO, the names of the Senator from Louisiana [Mr. BREAU] and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 596, a bill to make available certain information involving threats to the safety of international commercial airline travel.

S. 628

At the request of Mr. RIEGLE, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of S. 628, a bill to amend title 3, United States Code, and the Uniform Time Act of 1966 to establish a single poll closing time in the continental United States for Presidential general elections.

S. 659

At the request of Mr. SYMMS, the name of the Senator from Wyoming [Mr. WALLOP] was added as a cosponsor of S. 659, a bill to repeal the estate tax inclusion related to valuation freezes.

S. 686

At the request of Mr. MITCHELL, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. ADAMS], and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 686, a bill to consolidate and improve laws providing compensation and establishing liability for oil spills.

S. 687

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 687, a bill to amend the Clean Water Act to expand authority for penalties for discharges of oil and hazardous substances to provide for an assessment of oilspill contingency plans.

S. 702

At the request of Mr. MITCHELL, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 702 a bill to amend title XVIII of the Social Security Act to increase the amount authorized for a patient outcomes assessment research program, to transfer supervisory authority for such program to the Assistant Secretary for Health, to create a practice guidelines development program, to define the missions, priorities and scope of such programs, to establish an advisory committee for such programs, and for other purposes.

S. 726

At the request of Mr. KERRY, the name of the Senator from California [Mr. WILSON] and the Senator from Massachusetts [Mr. KENNEDY] were added as cosponsors of S. 726 a bill to amend the Coastal Zone Management Act of 1972 regarding activities significantly affecting the coastal zone.

S. 735

At the request of Mr. DASCHLE, the name of the Senator from Oklahoma [Mr. BOREN] was added as a cosponsor of S. 735, a bill to amend title XVIII of the Social Security Act to extend the classification of sole community hospital to certain other hospitals, to make improvements in payments to such hospitals, and for other purposes.

S. 754

At the request of Mr. PACKWOOD, the names of the Senator from Idaho [Mr. SYMMS] and the Senator from California [Mr. WILSON] were added as cosponsors of S. 754, a bill to restrict the export of unprocessed timber from certain Federal lands, and for other purposes.

S. 755

At the request of Mr. PACKWOOD, the name of the Senator from Idaho [Mr.

SYMMS] was added as a cosponsor of S. 755, a bill to authorize the States to prohibit or restrict the export of unprocessed logs harvested from lands owned or administered by States.

S. 759

At the request of Mr. BAUCUS, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of S. 759, a bill to amend the Rural Electrification Act of 1936 to establish that it is a major mission of the Rural Electrification Administration to ensure that all rural residents, businesses, industries, and public facilities obtain affordable access, on an equal basis with urban areas, to telecommunications services, and for other purposes.

S. 771

At the request of Mr. REID, the names of the Senator from Wisconsin [Mr. KOHL], the Senator from Illinois [Mr. SIMON], and the Senator from Nevada [Mr. BRYAN] were added as cosponsors of S. 771, a bill to amend the Internal Revenue Code of 1986 to disallow deductions for costs in connection with oil and hazardous substances cleanup unless the requirements of all applicable Federal laws concerning such cleanup are met, and for other purposes.

S. 783

At the request of Mr. JOHNSTON, the names of the Senator from Tennessee [Mr. GORE] and the Senator from Texas [Mr. BENTSEN] were added as cosponsors of S. 783, a bill to amend the Natural Gas Policy Act of 1978 to eliminate wellhead price and nonprice controls on the first sale of natural gas, and to make technical and conforming amendments to such act.

S. 821

At the request of Mr. HELMS, the name of the Senator from Arizona [Mr. McCAIN] was added as a cosponsor of S. 821, a bill to abolish the Commission on Executive, Legislative, and Judicial Salaries, establish a procedure for adjusting pay rates of certain Federal officers, and for other purposes.

S. 863

At the request of Mr. BAUCUS, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 863, a bill to create a Rural Partnership Fund and a loan program to administer funds from such fund, to create a Microbusiness Loan Fund and a Microbusiness Technical Assistance Fund and a program to administer funds from such funds, and for other purposes.

## SENATE JOINT RESOLUTION 66

At the request of Mr. HELMS, the names of the Senator from Maine [Mr. MITCHELL], the Senator from Missouri [Mr. BOND], the Senator from West Virginia [Mr. BYRD], the Senator from New York [Mr. D'AMATO], the Senator from Alabama [Mr. HEFLIN], the Sena-

tor from Ohio [Mr. GLENN], the Senator from Florida [Mr. GRAHAM], and the Senator from Alaska [Mr. MURKOWSKI] were added as cosponsors of Senate Joint Resolution 66, a joint resolution to designate the third week of June 1989 as "National Dairy Goat Awareness Week."

## SENATE JOINT RESOLUTION 67

At the request of Mr. DOMENICI, the names of the Senator from Vermont [Mr. LEAHY], the Senator from Colorado [Mr. ARMSTRONG], and the Senator from North Carolina [Mr. SANFORD] were added as cosponsors of Senate Joint Resolution 67, a joint resolution to commemorate the 25th anniversary of the Wilderness Act of 1964 which established the National Wilderness Preservation System.

## SENATE JOINT RESOLUTION 71

At the request of Mr. HELMS, the names of the Senator from Minnesota [Mr. DURENBERGER], the Senator from Wisconsin [Mr. KASTEN], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of Senate Joint Resolution 71, a joint resolution designating April 16 through 22, 1989, as "National Ceramic Tile Industry Recognition Week."

## SENATE JOINT RESOLUTION 72

At the request of Mr. RIEGLE, the names of the Senator from Missouri [Mr. BOND] and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of Senate Joint Resolution 72, a joint resolution to designate the period commencing May 7, 1989, and ending May 13, 1989, as "National Correctional Officers Week."

## SENATE JOINT RESOLUTION 78

At the request of Mr. BENTSEN, the names of the Senator from West Virginia [Mr. BYRD], the Senator from Maryland [Ms. MIKULSKI], the Senator from Illinois [Mr. DIXON], the Senator from Nevada [Mr. REID], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Rhode Island [Mr. CHAFEE], the Senator from South Dakota [Mr. PRESSLER], the Senator from South Dakota [Mr. DASCHLE], the Senator from Hawaii [Mr. INOUE], the Senator from Indiana [Mr. LUGAR], the Senator from Utah [Mr. GARN], the Senator from Nevada [Mr. BRYAN], the Senator from North Carolina [Mr. SANFORD], the Senator from Arkansas [Mr. PRYOR], the Senator from Missouri [Mr. DANFORTH], and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of Senate Joint Resolution 78, a joint resolution to designate the month of November 1989 and 1990 as "National Hospice Month."

## SENATE JOINT RESOLUTION 94

At the request of Mr. BOREN, the names of the Senator from Minnesota [Mr. DURENBERGER] and the Senator from Minnesota [Mr. BOSCHWITZ] were added as cosponsors of Senate

Joint Resolution 94, a joint resolution to designate the week of June 4, 1989 through June 10, 1989, as "National Intelligence Community Week."

## SENATE JOINT RESOLUTION 104

At the request of Mr. MITCHELL, the names of the Senator from Texas [Mr. BENTSEN], the Senator from Arkansas [Mr. PRYOR], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Nebraska [Mr. KERREY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Michigan [Mr. LEVIN], the Senator from Virginia [Mr. ROBB], the Senator from Maine [Mr. COHEN], and the Senator from Ohio [Mr. GLENN] were added as cosponsors of Senate Joint Resolution 104, a joint resolution to express the sense of the Congress with respect to the health of the Nation's children.

## SENATE RESOLUTION 86

At the request of Mr. LAUTENBERG, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of Senate Resolution 86, a resolution to request the President of the United States to appoint a special commission to consider the destruction of Pan American World Airways flight 103 and the security of air travel.

## SENATE RESOLUTION 92

At the request of Mr. SYMMS, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of Senate Resolution 92, a resolution expressing the sense of the Senate regarding section 89 of the Internal Revenue Code of 1986.

## SENATE RESOLUTION 99

At the request of Mr. BOSCHWITZ, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Washington [Mr. GORTON], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Maine [Mr. COHEN] were added as cosponsors of Senate Resolution 99, a resolution requiring the Architect of the Capitol to establish and implement a voluntary program for recycling paper disposed of in the operation of the Senate.

## SENATE RESOLUTION 109

At the request of Ms. MIKULSKI, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of Senate Resolution 109, a resolution to recognize the Patuxent River as an appropriate demonstration site for national water quality management.

## AMENDMENTS SUBMITTED

## AUTHORIZATION OF FUNDING FOR THE MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

## HELMS AMENDMENT NO. 65

Mr. HELMS proposed an amendment to the bill (S. 431) to authorize funding for the Martin Luther King, Jr. Federal Holiday Commission, as follows:

At the end of the bill, add the following: Notwithstanding any provision of this Act, the Commission shall cease to exist two years after the date of enactment of this Act.

## HELMS AMENDMENT No. 66

Mr. HELMS proposed an amendment to amendment No. 65 proposed by him to the bill S. 431, supra, as follows:

Strike all after the first occurrence of the word "Act," and insert in lieu thereof the following:

No funds shall be appropriated for the Commission.

## NOTICES OF HEARINGS

## SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Select Committee on Indian Affairs will be holding an oversight hearing on Friday, May 5, 1989, beginning at 9:30 a.m., in 485 Russell Senate Office Building, on S. 611, a bill to establish a Federal acknowledgment process.

Those wishing additional information should contact the Select Committee on Indian Affairs at 224-2251.

## COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, May 3, 1989, at 9:30 a.m., in SR-301, to receive testimony on legislation on voter registration procedures for Federal elections. Anyone wishing to testify or to submit a statement for the hearing record are requested to contact Mr. Jack Sousa, chief counsel of the Rules Committee, on 224-5648.

The committee will also receive written statements for the record on S. 136, to amend title 3, United States Code, to establish a single poll closing time in the continental United States for Presidential general elections; and S. 377, to establish a series of five Presidential primaries at which the public may express its preference for the nomination of an individual for election to the office of President of the United States. Senators, Representatives, and other interested individuals and organizations who wish to submit a statement on S. 136 and/or S.

377 are requested to contact Mr. Sousa.

**SUBCOMMITTEE ON ENERGY RESEARCH AND DEVELOPMENT**

Mr. FORD. Mr. President, I would like to announce for the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy Research and Development in the Committee on Energy and Natural Resources.

The purpose of the hearing is to receive testimony on the status of current and future use of alternative motor vehicle fuels in the United States.

The hearing will take place on Tuesday, June 6, 1989, at 2 p.m. in room SD-366 of the Senate Dirksen Office Building in Washington, DC.

Those wishing to submit written testimony for the printed hearing record should send it to the Subcommittee on Energy Research and Development, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510.

For further information, please contact Ben Cooper at (202) 224-7569.

**ADDITIONAL STATEMENTS**

**AUTHORIZATION FOR CHANGE TO RULES AND PROCEDURE**

● Mr. DECONCINI. Mr. President, I would like to submit for the RECORD the "Authorization for Change to Rules and Procedure of the Special Committee on Investigations of the Select Committee on Indian Affairs." I request that the full change in the rules be printed at this point in the RECORD.

The full change follows:

U.S. SENATE, 101ST CONGRESS, 1ST SESSION

**AUTHORIZATION FOR CHANGE TO RULES AND PROCEDURE OF THE SPECIAL COMMITTEE ON INVESTIGATIONS OF THE SELECT COMMITTEE ON INDIAN AFFAIRS**

Pursuant to Rule 9 of the Rules and Procedure of the Special Committee on Investigations of the Select Committee on Indian Affairs, the following change is hereby approved by the Special Committee:

Rule 5.6 shall be amended, as follows:

No person shall be deemed to be impugned under this section if either prior to subsequent to said public hearing such person was afforded the opportunity under oath, whether by deposition, sworn statement or otherwise, to answer the substance of the evidence presented or comment made at the public hearing.

The Special Committee directs that this change be effective immediately. Notice of this change is directed to be published in the CONGRESSIONAL RECORD.

Date: April 18, 1989.

DENNIS DECONCINI,  
Chairman,  
JOHN MCCAIN,  
Cochairman.●

**TRIBUTE TO FORMER MAYOR JOHN KROKOS**

● Mr. LAUTENBERG. I rise to pay tribute to John Krokos, the former mayor of Buena Vista Township. Mr. Krokos has been active in Buena Vista politics since 1959. He served as mayor of the township for 25 years and as a Buena Vista Township committeeman for 29 years. Mr. Krokos has also provided his leadership to the Buena Vista Township Planning Board, the Atlantic County Mayors Association and the Atlantic County League of Municipalities. In recognition of his achievements and service to the community, Mr. Krokos will be honored at a special dinner in East Vineland, NJ, on May 5.

Mr. Krokos has been actively involved in social and civic organizations also. He has served as president of the Atlantic County Board of Agriculture, the New Jersey Chick Association and the Milmay Volunteer Fire Co.

Born in Milmay, NJ, Mr. Krokos attended Vineland High School. He studies Spanish, planning and zoning and municipal management at Rutgers University. Although he has been self-employed in the poultry farm breeding business most of his life, Mr. Krokos also worked for 20 years as inspector of migrant labor and multiple dwellings for the State of New Jersey.

I commend Mr. Krokos for his dedicated service, leadership, and enthusiasm. He has served Buena Vista Township and the surrounding communities well. I send my best wishes to him for continued success.●

**SAE METHANOL MARATHON**

● Mr. ROCKEFELLER. Mr. President, I would like to bring to the attention of my colleagues an exciting event that culminates in Washington, DC, this week called the SAE Methanol Marathon.

This 1,100-mile road rally from Detroit to Toronto to Washington is sponsored by the U.S. Department of Energy, the Canadian Government, the Society of Automotive Engineers, General Motors and others.

This is a special event because 15 teams of student engineers representing schools across the United States and Canada converted cars to run on methanol instead of gasoline. I am proud to say that West Virginia University, located in my home State, was selected as one of the 15 finalists.

The teams were selected last fall on the basis of their design proposals. They then received a GM Corsica, a conversion kit and a grant to help meet the costs of the project.

The Methanol Marathon rally is a contest, not a race. The cars will be judged on performance, design, and ingenuity. The parade of methanol cars across the country will spread the word to countless towns and communi-

ties about the potential of alternative fuels. Further, the program has given our brightest engineering students the opportunity to gain valuable hands-on experience with new technologies.

I firmly believe that this country must turn to alternative fuels like methanol for our future energy security. Methanol can be made from coal or natural gas, resources we have in abundance in West Virginia and the rest of the country. If we begin to curb our dependency on foreign oil now by switching to alternative fuels, we can revitalize our domestic coal and natural gas industries.

Methanol makes sense for our environment because it burns cleaner than gasoline and can help reduce urban smog. Last year the Congress passed and the President signed my Alternative Motor Fuels Act, which provides incentives to automakers to build cars by 1993 that run on alternative fuels. My measure is an important first step to making methanol cars commonplace on American roads.

On May 4, the 15 Methanol Marathon teams will assemble on Capitol Hill for the conclusion of the 5-day rally. I urge my colleagues to join me in welcoming these teams and recognizing their talent and hard work for a job well done.

The following schools are represented in the rally:

California State University, Northridge, CA.

Colorado State University, Fort Collins, CO.

Concordia University, Montreal, Quebec, Canada.

Florida Institute of Technology, Melbourne, FL.

University of Maryland, College Park, MD.

Michigan Technological University, Houghton, MI.

University of Michigan, Ann Arbor, MI.

New York Institute of Technology, New York, NY.

Pennsylvania State University, University Park, PA.

Rochester Institute of Technology, Rochester, NY.

University of Tennessee, Knoxville, TN.

Texas Tech University, Lubbock, TX.

Washington University, St. Louis, MO.

West Virginia University, Morgantown, WV.

Wichita State University, Wichita, KA.●

**CONGRESSIONAL ARBOR DAY**

● Mr. SARBANES. Mr. President, last month I had the pleasure of planting a white oak sapling on the Capitol grounds during the celebration of Congressional Arbor Day. It is my hope

that this observance, involving recognition by the Congress of the economic and ecological importance of trees in our Nation, will become an annual event with wide participation by the public and Members of Congress.

The tree we added to the superb collection on the Capitol grounds is a white oak seedling, similar to the Wye Oak, Maryland's State tree. The Wye Oak in Maryland's Talbot County is the largest white oak in this country and one of the largest in the world. It is owned by the State of Maryland and was declared the State tree in 1941. It joins two other Maryland trees on the grounds—a Wye Oak seedling planted in 1976 and an offspring of the famous Liberty Tree on the campus of St. John's College in Annapolis planted in 1978 by Senator Charles Mac Mathias. In this period of ongoing bicentennial celebrations, it is important to note that both the Wye Oak and the Liberty Tree were standing when this country was declaring its independence, writing its Constitution, and convening its first Congress.

Two of our early Presidents were skilled horticulturists who recognized the value of planting and maintaining trees. Washington and Jefferson planted native and exotic trees at Mount Vernon and Monticello as a part of their agricultural and scientific pursuits. Washington, DC was encouraged at an early stage in its development to plant the city's magnificent boulevards and streets with the finest trees. The willow oak, one of Jefferson's favorite trees, now lines much of Pennsylvania Avenue between the Capitol and the White House.

I want to congratulate James B. Roberts, Maryland's State Forester and this year's president of the National Association of State Foresters, for his role in inaugurating and organizing the first Congressional Arbor Day. I also commend Melinda Cohen, Washington representative of the National Association of State Foresters, for her active role in organizing this program. Ronald Randolph, a fifth grader from Garfield Elementary School in Washington, DC, won the D.C. Arbor Day Poster Award, and I congratulate him on this achievement.

The last few years have shown dramatically the importance of our forests, and Congressional Arbor Day is an effort to focus attention on individual and community tree programs and the contributions of forestry to our economy and environment. I look forward to the celebration of Congressional Arbor Day each year.●

#### SUCCESSFUL SETTLEMENT OF PART OF THE "STARK" COMPENSATION CLAIMS

● Mr. WARNER. Mr. President, on March 27, 1989, the United States and Iraq reached an agreement which pro-

vides compensation for the families of the 37 crewmen of the U.S.S. *Stark* who lost their lives in the line of duty when their ship was mistakenly attacked by Iraqi aircraft in the Persian Gulf. The Government of Iraq agreed to expeditiously pay a total of \$27,350,374. When the U.S. Government receives the money, it will be distributed to the 37 families on the basis of the formula used to calculate the original claims, which properly takes into account the individual needs and circumstances of the families.

I would like to take this opportunity to congratulate the outstanding U.S. negotiating team which successfully concluded this agreement. This negotiating team deserves special commendation for their fine work. The team was lead by the State Department Legal Adviser, Abraham D. Sofaer, and consisted of Capt. John Geer of the Department of the Navy, the U.S. Ambassador to Iraq, April Glaspie, and a group of State Department personnel.

I met the Judge Sofaer prior to his trip to Baghdad last month. He briefed me on the background of the claims and on his objectives for this latest round of discussions. I lent my full support to this effort, and I am delighted to see that it was successful. It is a credit to Judge Sofaer, Captain Geer, Ambassador Glaspie and the rest of the U.S. team that they were able to conclude such a favorable agreement in a relatively short, 5-day period.

In my opinion, the settlement is a good and fair one. It will provide compensation to the wives, children, and parents of those 37 fine young men. Although money can never adequately compensate for the loss of life, it can provide the financial support that the dependents need and to which they are entitled.

However, this agreement settles only the first of three categories of U.S. claims arising out of the attack on the U.S.S. *Stark*. It is my understanding that the United States Government will soon present claims to Iraq on behalf of the crewmen injured in the attack, as well as for damages to the ship and other United States Government losses. I hope the Government of Iraq will continue to show its interest in improving relations with the United States by cooperatively addressing the remaining claims.●

#### RAILWAY MAIL POST OFFICE ESTABLISHED 125 YEARS AGO

● Mr. BOND. Mr. President, the Railway Mail Service, a branch of the Post Office Department, was established on August 28, 1864, by George Armstrong, assistant postmaster at Chicago. Prior to its official founding, the roots of the Railway Mail Service can be traced back to Missouri.

It was in St. Joseph, MO, in 1862 that William A. Davis, the assistant postmaster, first experimented with using the railroad system to transport mail. Train service in the United States began in 1830 and by 1869, parallel bands of steel carried the iron horse from coast to coast, making it ideal for transporting the mail for the Post Office Department. The C.B.&Q. Railroad was honored with the experimental cargo of mail, transporting it from West Quincy, MO, to St. Joseph, MO.

Going beyond mere transportation, the postal service began utilizing railroad cars as mobile post offices. They became so successful that shortly thereafter railroads all over the country began to receive post office cars from the U.S. Post Office. In some large cities, even street cars were used as traveling post offices. The Railway Mail Service officially changed its name to the Postal Transportation Service in November 1949, when Air-mail and the Railway Mail Service were merged.

At its peak, immediately following World War II, the Postal Transportation Service employed over 30,000 clerks who handled more than 90 percent of all nonlocal mail. There were Railway Post Offices [RPO] aboard more than 1,900 routes across the Nation. With the increase in air service, however, the Postal Transportation Service began to cut back on train utilization. The final run of any RPO was from New York City to Washington, DC, in 1977.

Trains played a vital part in shaping our Nation and the postal service's use of them allowed those who moved west to keep in touch with their friends and family in far-off towns and cities. The dutiful RPO's carried the ever-important news of marriages, births and deaths, and war and peace.

I hope that my fellow Senators will join me in commemorating the 125th anniversary of the establishment of the Railway Mail Post Office and honoring the people associated with this branch of the Post Office Department.●

#### TRIBUTE TO CHARLES C. BYLONE

● Mr. LAUTENBERG. Mr. President, I rise to pay tribute to Charles Bylone for his dedicated service to the township of Buena Vista. Mr. Bylone has been active in Buena Vista politics since he was elected Buena Vista township clerk in 1959. From 1980 to 1986 he served as Buena Vista township administrator. In recognition of his achievements and service to the community, Mr. Bylone will be honored at a special dinner in East Vineland, NJ, on May 5.

Mr. Bylone has provided his leadership to numerous organizations. Mr. Bylone has served as a member of Buena Vista Township Planning Board, the Atlantic County Economic Development Council, the Solid Waste Advisory Board, the Agricultural Development Board, the Vocational Agriculture Steering Committee of Buena Regional High School, the Vineland Chamber of Commerce, the Private Industry Council-JTPA, the Cumberland County Pinelands Commission, the Grass Roots Committee, and the Centennial Committee.

Although he was born in Hazelton, PA, and graduated from Hazelton High School, Mr. Bylone attended Rutgers University. From 1942 to 1945 he served in the Marine Corps. Currently, Mr. Bylone serves as the commissioner and treasurer of the East Vineland Fire Co. No. 2. He is also actively involved with St. Mary's Church of East Vineland and the St. Mary's School PTA.

As a farm owner and operator, Mr. Bylone has been active in the Vineland Produce Auction. Through his participation he has received several awards. In 1960 and in 1985 he received the Farmer's Home Administration Family of the Year Award. In 1983 Mr. Bylone received a citation for outstanding service to the Vegetable Growers Industry of New Jersey. In 1987 he received a citation for his distinguished service to agriculture in New Jersey.

I commend Mr. Bylone for his dedicated service to the community of Buena Vista. His leadership has contributed to the prosperity of many community organizations. I applaud Mr. Bylone for his achievements and wish him continued success in the future.●

#### MARIA OLIJNEK CHOPEK

● Mr. DOMENICI. Mr. President, Maria Olijnek Chopek was born on April 15, 1889, in Kozowa, Ukraine—then part of the Austrian-Hungarian Empire. Maria, a dressmaker, married Ilia (Elias) Chopek in 1911 and journeyed to the United States in 1914, arriving in Boston, MA. Prior to the Senate recess Maria Olijnek celebrated her 100th birthday.

Her early years in America were not easy. There were the 10 years of living in cold-water tenements and the various restaurant jobs necessary to eke out a living. Struggling with a new language and a different culture, Maria also raised a family—daughter Anna came with Maria to America, while daughter Stephanie was born in the United States in 1926. Then came the Great Depression and Maria took on extra jobs, such as office cleaning and dress embroidering, to help while her husband was unemployed. She is proud to claim that through it all, the

Chopeks never accepted any public assistance.

Maria's hard work, strong faith, and love for her new country did bring some rewards. From their savings, the Chopeks purchased their dream house in suburban Boston. Maria and her husband proudly became United States citizens early in their American life and encouraged other Ukrainian immigrants to do likewise.

Though Maria and her husband worked hard, they always found time for their community. A life-long member of the Ukrainian Catholic Church, Maria volunteered her time to innumerable church activities. Her husband served as branch secretary for the largest Ukrainian-American fraternal organization, the Ukrainian National Association (UNA). Maria has been a member of the UNA for over 60 years and her daughter Anna served on the Supreme Assembly (Board of Directors) of the UNA for 24 years.

Having instilled in her daughters the importance of education in improving one's life, they consequently achieved considerable success. Anna eventually became an Assistant Attorney General for the Commonwealth of Massachusetts and an Assistant District Attorney for Suffolk County, MA. Stephanie, who majored in physics, has worked on a free-lance basis as a scientific translator in Russian, German, and French at Los Alamos, NM.

Following the death of her husband, Maria moved to Los Alamos to live with her daughters. She has five grandchildren and three great-grandchildren. Even today, Maria still leads an active and happy life, attending church every week and actively participating in various organizations.

Maria Olijnek Chopek—celebrating a century of life—has lived the American dream!●

#### AAAS ENDORSES CONGRESSIONAL SCIENCE SCHOLARSHIP

● Mr. GLENN. Mr. President, I rise today to announce that Science magazine has endorsed S. 134, a bill which I introduced on January 25 that would establish congressional scholarships for science, mathematics, and engineering. Science magazine is published by the American Association for the Advancement of Science.

I am delighted that my proposal has won the support of such a prestigious and influential organization as the AAAS. This editorial will reach thousands and thousands of scientists, educators, and policymakers and consequently will generate greater interest and support.

I am also grateful for its active support on Capitol Hill; on March 9 AAAS President Richard C. Atkinson testified in favor of the bill before the House Subcommittee on Science, Re-

search, and Technology, which, incidentally, is chaired by my friend, Congressman DOUG WALGREN of Pennsylvania. He is the author of the scholarship bill on the House side.

The congressional scholars program is, as Science magazine described, a "symbolic gesture" that in my opinion would highlight the Nation's need for better science and math literacy and more scientific personnel. The proposal would bring together the National Science Foundation with hundreds of panels spread across the country made up of local scientists, educators, engineers, and mathematicians in an effort to reward academic excellence in these areas. Given such high visibility, the scholarships couldn't help but raise the stature of the sciences and math in the Nation's high schools and communities.

I ask that the editorial from the March 31, 1989, Science magazine be printed in the RECORD.

The article follows:

#### CONGRESSIONAL FELLOWSHIPS FOR SCIENCE

Representative Doug Walgren (D-PA) has teamed with Senator John Glenn (D-OH) to push for passage of legislation that could be a significant step toward ameliorating this country's deteriorating position and future prospects. Under terms of the legislation, every year one female and one male high school graduate in each congressional district would receive a scholarship paying a maximum of \$5000 a year for 4 years to study science, mathematics, or engineering. The proposed legislation calls for an initial appropriation of only \$5.5 million, and in terms of needs, the number of students who will be helped is small. However, as a symbolic gesture with possible follow-on consequences, enactment of the legislation could make a large difference.

Walgren has stated, "Because of their broad geographical distribution [the] fellowships would serve as a highly visible stimulus and source of role models for high school students. . . . The awarding of these fellowships—perhaps during National Science and Technology Week—would remind members of Congress and the public of the importance of science to our national goals."

The legislation would place responsibility on the National Science Foundation to administer the program. Some of the mechanisms to be employed would give the program great visibility. For example, "The Director shall notify all public and private secondary schools and all institutions of higher education in the United States annually of the availability of scholarships under this Act."

The legislation further specifies that the National Science Foundation "shall establish for each congressional district, or, to the extent a contiguous group of congressional districts reflects a geographic region similar in demographics, geography, and economic status and activity, for each such group of congressional districts, a broad-based committee of educators, scientists, mathematicians, and engineers who shall submit to the Director [NSF] nominations of one male and one female from each congressional district for scholarships under this Act." Such committees would identify a host of excellent candidates worthy of sup-

port. The attendant activity and publicity would be likely to stimulate substantial additional financial support from industry, foundations, alumni, local communities, and the states. Were the program to be markedly successful, it might serve the function of a pilot plant for later expanded federal support.

Another provision of the legislation could lead to improvement of relations between the Congress and scientists, mathematicians, and engineers. The Art includes: "The Director shall notify each Member of Congress in writing of selections made from such Member's district at least one week before public announcement of such selections is made." Given adequate notice, the various congressmen would have highly valued photo opportunities and a chance to share in a happy public event. They and their staffs would become better acquainted with the scientists, mathematicians, and engineers of their districts, who in turn would become better informed about some of the concerns of congressmen.

In pushing for the legislation, Walgren has been joined by a bipartisan group of 27 members of the House Science, Space and Technology Committee, including Chairman Robert A. Roe (D-NJ). He has received strong support from the scientific community in testimony presented 9 March by Richard C. Atkinson, president of AAAS, Thomas F. Malone, president of Sigma Xi, and Lynn Arthur Steen, chairman of the Council of Scientific Society Presidents.

In his testimony, Atkinson implicitly reminded the Congress that the problems we face in education for science and technology are broader than those addressed in the Walgren proposal. He pointed to a "leaky pipeline" which conveys to the doctorate only a tiny fraction of students with the potential for it when in the tenth grade. In addition, he noted that by 1995 about 30% of the engineering faculties will have retired and have to be replaced. But in 1987, only 42% of U.S.-granted Ph.D.'s in engineering were awarded to U.S. citizens.

Obviously, the new legislation addresses only part of the educational problems, but it is an imaginative proposal that should enjoy broad support. Critics should exercise self-restraint in seeking this or that modification. That would only lead to delays or outright failure of enactment.—PHILIP H. ABELSON.●

#### CONGRATULATIONS TO EVELYN DUBROW

● Mr. LAUTENBERG. Mr. President, I rise today to honor one of the great ladies of Capitol Hill, Evelyn Dubrow. On May 4, 1989, many of her friends and allies in labor, industry, and government will join together to pay tribute to the "first lady of labor."

Educated at the New York University School of Journalism, Evy has a long history of contributions to the American labor movement. She has been educational director of the New Jersey Textile Workers Union of America; assistant to the president of the New Jersey CIO Council; secretary of the New Jersey American Newspaper Guild; chairperson of the AFL-CIO committee on consumer legislation; ILGWU representative to the Civil Rights Leadership Conference, National Consumers League, and Na-

tional Fair Representation Committee; a founding board member of the National Consumers Federation of America; a member of the advisory committee of the Center for the Family; and a fellow at the Harvard University Institute of Politics.

Evy has been a strong and persuasive advocate of a wiser and more effective trade policy, particularly as it affects the workers of the textile and apparel industry. Although Evy's accomplishments have been significant and numerous, we all appreciate her most as a valued friend. Her delightful enthusiasm and charm have brought a welcome cordiality to difficult issues. Labor could not have a more effective spokesperson! I join in offering my congratulations to her, and look forward to working with her in the future in a common effort to improve the lives of American working men and women.●

#### ALLIED COUNCIL OF SENIOR CITIZENS OF WISCONSIN

● Mr. KOHL. Mr. President, the Allied Council of Senior Citizens of Wisconsin is a dynamic organization representing more than 10,000 older Americans living in the State of Wisconsin. It is a nonprofit, statewide organization comprised of unpaid volunteers who unselfishly work for the rights and the myriad needs of older folks in Wisconsin.

This week, the council's chapter in Milwaukee celebrates its 25th anniversary, a quarter of a century of service to senior citizens. From the establishment of Medicare to the protection of Social Security COLA's, from nutrition to housing issues, from pharmacy programs to the development of senior centers and from legislation to rein in health-care costs to utility rate regulation, the Allied Council of Senior Citizens of Wisconsin has been at the forefront of the debate. The council hasn't shied away from the tough issues that affect so many vulnerable Americans.

The council, its leadership and its many members should be congratulated for their unswerving commitment to resolving the complex problems that eventually will affect us all. They should be applauded for their willingness to work tirelessly from the national level to the grass roots to better the lot of seniors. Truly, no problem has been too big or too complicated for this fine group of folks.

Their success is mirrored by the growth of their organization—they now have regional offices not only in Milwaukee, but also in Kenosha, Racine, Madison, and Green Bay. And a new chapter has just been established in Waukesha County.

I'm confident that the council, under the leadership of Dorothy Seeley in Milwaukee, Dolores Pelzek in Waukesha, Louis De Marco in Ke-

nosha, Helen Freimund in Racine, Leo Simon in Green Bay and Miriam Magdol in Madison, will continue its tradition of leadership and assistance to senior citizens throughout Wisconsin.

Our older folks deserve no less.●

#### APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 46 U.S.C. 1295(b), appoints the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: the Senator from Louisiana [Mr. BREAU], from the Committee on Commerce, Science, and Transportation, and the Senator from South Carolina [Mr. HOLLINGS], from the Committee on Commerce, Science, and Transportation, ex officio.

#### APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 100-696, appoints the following Senators to the U.S. Capitol Preservation Commission: the Senator from New York [Mr. MOYNIHAN] and the Senator from Nevada [Mr. REID].

#### APPOINTMENTS BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 100-690, announces the appointment of the following Senators to the National Commission on Drug-Free Schools: the Senator from Alabama [Mr. SHELBY], and the Senator from Florida [Mr. GRAHAM].

#### ORDERS FOR TOMORROW

##### RECESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 10 a.m. tomorrow, Tuesday, May 2.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### MORNING BUSINESS

Mr. MITCHELL. I further ask unanimous consent that, following the time of the two leaders, there be a period for morning business not to extend beyond 10:30 a.m., with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that at 10:30 a.m. the Senate resume consideration of S. 431.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be debate on S. 431 for not to exceed 1 hour, and that at 11:30 a.m. there be a vote on the Helms second-degree amendment to be followed immediately with no intervening business at 11:45 a.m. by a vote on the Helms first-degree amendment, as amended, if amended; and that those votes be up or down votes not subject to a tabling motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS FROM 12 NOON UNTIL 2 P.M.

Mr. MITCHELL. Mr. President, I ask unanimous consent that on tomorrow the Senate stand in recess following the vote on the second Helms amendment from 12 p.m. to 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

### PROGRAM

Mr. MITCHELL. Mr. President, therefore, for the information of our colleagues, all Senators should be aware that according to the unanimous-consent agreements that we have just propounded, and which have been agreed to, there will be debate on S. 431 between 10:30 and 11:30 tomorrow morning. At 11:30 there will be a vote on the Helms second-degree amendment; and at 11:45 there will be a vote on the Helms first-degree amendment.

We anticipate that those will be rollcall votes. There will be two rollcall votes tomorrow, one at 11:30, one at 11:45.

There may be further amendments, and therefore further rollcall votes when the Senate resumes tomorrow afternoon, although we do not know that yet.

It is our hope and intention to complete action on this legislation tomorrow, and as soon as we do so the Senate will turn to the budget resolution.

RECESS UNTIL TUESDAY, MAY 2, 1989, AT 10 A.M.

Mr. MITCHELL. Mr. President, if the distinguished Republican leader has no further business and if no Senator is seeking recognition, I now ask unanimous consent that the Senate stand in recess under the previous order until 10 a.m. on Tuesday, May 2, 1989.

There being no objection, the Senate, at 5:10 p.m., recessed until Tuesday, May 2, 1989, at 10 a.m.

### NOMINATIONS

Executive nominations received by the Senate May 1, 1989:

#### DEPARTMENT OF STATE

MORTON I. ABRAMOWITZ, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKEY.

MELVYN LEVITSKY, OF MARYLAND, TO BE ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL NARCOTICS MATTERS, VICE ANN BARBARA WROBLESKI, RESIGNED.

#### INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

E. PATRICK COADY, OF VIRGINIA, TO BE U.S. EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF 2 YEARS, VICE ROBERT BRENDON KEATING, TERM EXPIRED.

#### DEPARTMENT OF THE TREASURY

KENNETH W. GIDEON, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE O. DONALDSON CHAPOTON, RESIGNED.

#### EXECUTIVE OFFICE OF THE PRESIDENT

SIDNEY LINN WILLIAMS, OF VIRGINIA, TO BE A DEPUTY U.S. TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE ALAN F. HOLMER, RESIGNED.

#### DEPARTMENT OF JUSTICE

SHIRLEY D. PETERSON, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE WILLIAM S. ROSE, JR., RESIGNED.

WILLIAM LUCAS, OF MICHIGAN, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE WILLIAM BRADFORD REYNOLDS, RESIGNED.

#### DEPARTMENT OF COMMERCE

MICHAEL PHILIP SKARZYNSKI, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE JAMES P. MOORE, JR., RESIGNED.

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ALFRED A. DELLIBOVI, OF NEW YORK, TO BE UNDER SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE CARL D. COVITZ, RESIGNED.

#### EXECUTIVE OFFICE OF THE PRESIDENT

JOHN B. TAYLOR, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE MICHAEL MUSSA, RESIGNED.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

GERALD L. OLSON, OF MINNESOTA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE MARY T. GOEDDE, RESIGNED.

#### DEPARTMENT OF TRANSPORTATION

GALEN JOSEPH RESER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE EDWARD R. HAMBERGER, RESIGNED.

#### DEPARTMENT OF EDUCATION

ROBERT REFUGIO DAVILA, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION, VICE MADELEINE C. WILL, RESIGNED.

#### IN THE ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

##### To be lieutenant general

LT. GEN. CHARLES W. BAGNAL, ~~xxx-xx-xxxx~~ U.S. ARMY.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

##### To be lieutenant general

LT. GEN. FREDERIC J. BROWN, ~~xxx-xx-xxxx~~ U.S. ARMY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601(A), IN CONJUNCTION WITH ASSIGNMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DESIGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

##### To be lieutenant general

MAJ. GEN. FREDERICK M. FRANKS, JR., ~~xxx-xx-xxxx~~ U.S. ARMY.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601(A), IN CONJUNCTION WITH ASSIGNMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY DES-

IGNATED BY THE PRESIDENT UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

##### To be lieutenant general

LT. GEN. CLAUDE M. KICKLIGHTER, ~~xxx-xx-xxxx~~ U.S. ARMY.

#### IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR ASSIGNMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS AND CHIEF OF STAFF, UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

##### To be general

GEN. JOSEPH J. WENT, ~~xxx-xx-xxxx~~ 19903 U.S. MARINE CORPS.

THE FOLLOWING-NAMED OFFICER, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 601, FOR ASSIGNMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN GRADE AS FOLLOWS:

##### To be lieutenant general

MAJ. GEN. NORMAN H. SMITH, ~~xxx-xx-xxxx~~ 19903 U.S. MARINE CORPS.

#### IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, UNDER PROVISIONS OF SECTION 628, TITLE 10, UNITED STATES CODE, AS AMENDED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

#### LINE OF THE AIR FORCE

##### To be lieutenant colonel

WAYNE E. BALCOM, ~~xxx-xx-xxxx~~  
JOHN G. BUNCH, ~~xxx-xx-xxxx~~  
ALAN J. CORSON, ~~xxx-xx-xxxx~~  
ROBERT G. DWYER, ~~xxx-xx-xxxx~~  
DONALD R. FOWLER, ~~xxx-xx-xxxx~~  
ALLEN P. HAZLEGROVE, ~~xxx-xx-xxxx~~  
CARL S. KRETZER, ~~xxx-xx-xxxx~~  
RONALD J. POLOMSKY, ~~xxx-xx-xxxx~~  
KENNETH B. PRESLAR, ~~xxx-xx-xxxx~~  
RICHARD J. SMITH, ~~xxx-xx-xxxx~~  
NEWTON W. TERRY III, ~~xxx-xx-xxxx~~

#### JUDGE ADVOCATE

##### To be lieutenant colonel

EDWARD M. STARR, ~~xxx-xx-xxxx~~

#### LINE OF THE AIR FORCE

##### To be major

GERRIT J. ALLEN, ~~xxx-xx-xxxx~~  
JOHN A. CIESLIK, SR., ~~xxx-xx-xxxx~~  
WILLIAM O. COLLIER, ~~xxx-xx-xxxx~~  
DAVID A. FELTENBERGER, ~~xxx-xx-xxxx~~  
GEORGE E. FOREST, ~~xxx-xx-xxxx~~  
PHILIP B. NEELEY, ~~xxx-xx-xxxx~~  
AUBREY D. RICE, ~~xxx-xx-xxxx~~  
JAMES T. ROBERTS, ~~xxx-xx-xxxx~~  
JOHN W. SENGAL, ~~xxx-xx-xxxx~~  
BENEDICT C. VIGLIETTA, ~~xxx-xx-xxxx~~

#### JUDGE ADVOCATE

##### To be major

STEPHEN M. VALENTINE, ~~xxx-xx-xxxx~~

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE OFFICERS BE APPOINTED IN A GRADE HIGHER THAN CAPTAIN.

#### LINE OF THE AIR FORCE

EDWARD D. SUBERVI, ~~xxx-xx-xxxx~~  
DANIEL L. WEVER, ~~xxx-xx-xxxx~~  
LARRY E. WOOTEN, ~~xxx-xx-xxxx~~

THE FOLLOWING OFFICER FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF SECTION 531, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM THE DUTIES INDICATED, PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICER BE APPOINTED IN A GRADE HIGHER THAN MAJOR.

#### JUDGE ADVOCATE

STEPHEN M. VALENTINE, ~~xxx-xx-xxxx~~

THE FOLLOWING NAVY ENLISTED COMMISSIONING PROGRAM CANDIDATE TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, SUBJECT TO TITLE 10, UNITED STATES CODE, SECTION 531.

KRISS B. STANLEY

THE FOLLOWING-NAMED NAVAL RESERVE OFFICERS TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

MANUAL T. DAVENPORT ADAM M. TAPP  
STEVEN L. JOHNSON

THE FOLLOWING LIEUTENANT COMMANDER, U.S. NAVY, RETIRED, TO BE REAPPOINTED PERMANENT COMMANDER FROM THE TEMPORARY DISABILITY RETIRED LIST, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 1211.  
LINDA S. TAYLOR

## IN THE NAVY

THE FOLLOWING-NAMED LIEUTENANT COMMANDERS IN THE LINE OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF COMMANDER, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

## UNRESTRICTED LINE OFFICER

## To be commander

ADAMSON, ROBERT  
EDWARD, III  
ALEXANDER, EARL  
ROBERT  
ALEXANDER, ROBERT  
CYRIL  
ALLEMAN, LEW  
EARLINGTON  
ALLEN, CHARLES TED  
ALVAREZ, MICHAEL  
PATRICK  
AMES, CHRISTOPHER  
CONLAN  
ANDERSON, WILLIAM  
MICHAEL

BAAR, ERIC CAMERON  
BACIN, MARK STEPHEN  
BADGER, CARLOS SAMUEL  
BAFFORD, BARNEY RAY  
BAILEY, ROSALIND  
TRIMBLE  
BAIVIER, ANITA GAIL  
BAKER, JEFFREY WARD  
BAKER, MICHAEL  
NEWMAN  
BAKER, ROBERT DUANE  
BANGE, JEFFREY DONALD  
BANNISTER, RANDALL  
WILLIS  
BARKER, WILLIAM  
DENNIS  
BARNETT, GEORGE ALLEN  
BARNES, WILLIAM  
FLEMING  
BARRIE, ROBERT  
WILLIAM  
BAUMGARDNER, HOWARD  
JOSEPH  
BAYER, MICHAEL JOSEPH  
BEATTY, FLORENCE  
ELIZABETH  
BEATTY, THOMAS  
PATRICK  
BEGLEY, GRANT ALLAN  
JR.  
BERBERICH, LARRY  
RUSSELL  
BERNHARD, DAVID LEE  
BERNIER, BRETT  
BOULTER  
BERNIER, CARROLL  
DENNIS  
BERRY, EDMUND  
WILLIAM  
BERTSCH, FRED STANLEY,  
III  
BERTSCHE, MARK STEVEN  
BETTINGSON, DAVID ONEIL  
BILLINGSLEY, DAVID  
EUGENE  
BLAKE, JOHN TERENCE  
BLAKELY, ROBERT  
GRAHAM, JR.  
BLEEKER, HANS JACOBUS  
BLOSS, WALTER JAY  
BOEHM, LEE IRVIN  
BOHN, JOHN LLOYD, II  
BULLWERK, WILLIAM VAL

ANDREWS, VINCENT JOHN  
ANNIS, JAMES BRENT  
APPLEGATE, DAVID  
JAMES  
AREIZAGA, CHARLES  
ARMY DENIS, VINCENT  
ARNOLD, RICHARD RAY  
ARWOOD, ROGER ALAN  
ATKINS, TOMMY HAROLD  
AUGUSTINE, MARILYN  
JANE  
AZUD, JOHN RAYMOND

BULYARD, JOHN WESLEY  
BOND, MARGARET HOUSE  
BOOKERT REUBIN  
BERNARD  
BORRIES, ROBERT BRUCE  
BOUCHARD, JOSEPH  
FREDERICK  
BOULON, DANIEL LEE  
BOWEN, EDWARD  
CHARLES  
BOWLING, RAYMOND  
BRUCE  
BOYCE, ROBERT LEE  
BUYER, JAMES CHARLES  
BUZIN, STANLEY DANIEL  
BRADLEY, DAVID GLENN  
BRADD, ROBERT FRANCIS  
BRAINERD, JEFFERY  
HOWARD  
BREHM, BARBARA LAURIE  
BREWER, ROBERT  
GEORGE, JR.  
BRIGGS, ALFRED  
NEWSOME, III  
BRINGLE, DONALD  
GODWIN  
BROUGHTON, GEORGE  
CLIFFORD, I  
BROUGHTON, HUBERT  
LEE, II  
BROWN, JERRY JOE  
BROWN, NANCY  
ELIZABETH  
BRUECKBAUER, ROGER  
IRVIN, II  
BRUNO, PAUL NICHOLAS  
BULFINCH, SUSAN  
HEELAN  
BULLOCK, ROBERT ALAN  
BULTEMEIER, CRAIG  
WILLIAM  
BUNDY, WILLIAM  
FRANCIS  
BURLINGAME, NEIL  
COLBY  
BURNS, DANIEL ALLEN  
BURTIS, THOMAS CLINE  
BUSH, RICHARD ALBERT  
BUSHONG, ANNE LOUISE  
BUSHONG, GREGORY  
BRENT  
BYERS, EARL LOIS, II

CLARK, FRANK NEIL  
CLARK, WILLIAM JOHN,  
JR.  
CLEMENT, ROBERT H  
CLINGMAN, BRUCE WAID  
COADY, JERRY JAY  
COLDIRON, LARRY DALE  
COLEGATE, GREGORY  
ALLEN  
COLEMAN, DAVID  
WHITFIELD  
COLLINS, PATRICK SEAN  
COLLINS, ROBERT  
THEODORE  
COLLINS, STEVEN  
EDWARD  
COLLINS, STEVEN  
PATRICK  
COLLIS, JERRY CARROLL  
COMI, PATRICK MICHAEL  
CONRAD, ROBERT DANIEL  
COOK, FREDERICK

CORNELIUS  
CORRIGAN, DENNIS  
MICHAEL  
COSPER, JAMES HECTOR,  
II  
COSTON, PHILLIP WAYNE  
COVINGTON, BENJAMIN  
BRYAN  
COX, DAVID CORYDUN  
COX, ROBERT JUSTIN  
COX, WILLIAM E JR  
CRABBE, CLARK  
WALDRON  
CRAFT, WILLIAM  
PATRICK  
CRAMER, MICHAEL LEE  
CRAWFORD, BILLIE  
ELIZABETH

DADY, TERESA GAIL  
DALEY, WILLIAM HENRY,  
III  
DAUGHERTY, DAVID  
WILLIAM  
DAVILLI, THOMAS  
BERNARD  
DAVIS, JOHN SCOTT  
DEARTH, RANDOLPH  
SCOTT  
DELEY, THOMAS  
ARNOLD  
DEMETROPOLIS, GEORGE  
JOHN, JR.  
DEMING, CHRISTOPHER  
LEE  
DENIS, DAVID ARTHUR  
DENTON, MARILYN ANNE  
DEPPE, JAMES FRANK  
DESTEFANO, ROBERT  
DEWEY, BRIAN EDWARD  
DEWEY, EDWARD  
CLAYTON, II  
DILLON, STEVEN  
FREDERICK

EADS, JOHN WILLIAM  
ECKELBERRY, JOHN R  
EICHELBORGER, ROBERT  
MACNEIL  
EIDSON, ANNE  
JEANNETTE

FABER, GERALD WILLIAM  
PACKRELL, MICHAEL  
ALLAN  
FAHRNER, GREGORY  
CHARLES  
FALZETTA, OTTAVIO  
ANTONIO  
FARLEY, JOHN PETER  
FARLEY, MICHAEL  
FRANCIS  
FEELEY, STEPHEN LEWIS  
FERGUSON, JULIAN  
ALBERT, III  
FERRIS, WILLIAM  
FREDERICK  
FICHTE, SUSAN DARLENE  
FITZPATRICK, BRIAN  
DAVID  
FITZSIMONS, JOHN  
VERNON  
FLAMMANG, HAROLD  
MICHAEL, JR.

GABOR, JAMES RAYMOND  
GALICKI, DENNIS  
MICHAEL  
GALINGER, KATHY ANN  
GALLAGHER, KATHLEEN  
LARSON  
GAMBIN, WAYNE PETER  
GANTT, EDWARD  
WILLIAM  
GARDNER, STEPHEN  
GREGORY  
GARRETT, CARL EUGENE,  
JR.  
GARRETT, GENE WILLIAM  
GARRISH, JAMES  
WILLARD  
GERDING, GREGORY  
SCOTT  
GEROD, DEBORAH KAYE  
GHEESLING, JOE BERT, JR  
GIBSON, ROBERT  
DOUGLAS  
GILCHRIST, LORRI PAGE  
GILLIAM, BRENT  
GARLAND

HAEPFNER, ALAN MONROE  
HAFPEY, GEORGE  
FRANCIS  
HALL, DOUGLAS ALLEN  
HALL, GARRY EVAN  
HALLOWELL, PAUL EVAN,  
JR.

CRAWFORD, GEOFFREY  
EDE  
CRAWFORD, JOHNNY  
LUDY  
CREGGE, MICHAEL JOHN  
CRISP, DONNA LYNN  
CRITZ, MICHAEL RICHARD  
CROCKER, MICHAEL  
DENISON  
CROSSBY, JOHN JOSEPH,  
JR.  
CUNNINGHAM, ROBERT  
LOUIS, JR.  
CUPP, RICHARD TERRELL  
CORRY, PATRICK  
FRANCIS DAVID  
CURTIS, DERWOOD  
CLAYBURN

DOMERTY, JOHN  
THOMAS, JR.  
DULLARD, THOMAS S  
DONNELLY, JOHN JAY  
DONOVAN, THOMAS  
JOSEPH  
DOONG, LAWRENCE  
KWONG CHU  
DORSEY, GORDON O  
DOUGLAS, CHRISTOPHER  
ALLEN  
DOUGLASS, STANLEY  
WAYNE  
DOWELL, JON CHRISTIAN  
DRENNAN, BRUCE CURTIS  
DRISLANE, PATRICIA ANN  
DRODDY, JAMES EDWARD  
DOFFIE, DAVID  
ANGERAU  
DUNCAN, MARSHALL  
BRUCE  
DURKIN, JOHN JAMES, JR.  
DYE, MARK HOUSTON

ELLIS, GARY JOE  
EDROD, SUZANNE MARIE  
ERICK, STEVEN GRAY  
EVANOFF, JOHN DANIEL,  
II  
EWING, RONALD JOHN

FLANNERY, BRIAN  
EDWARD  
FLOYD, CHARLES ALAN  
FOERSTER, BERND ALWIN  
FOLLY, FRANK EDWARD  
FORD, RICHARD KENT  
FOREMAN, DAVID EARL  
FOSTER, LESLIE  
FOSTER, WILLIAM LARRY  
FOOREMAN, ARIAUNA  
ROY  
FOWLER, JOHN D  
MARCUM  
FOX, LEONARD ANTHONY  
FRANKE, ONEDIA M  
FRAZIER, ROBERT LEE  
FRYE, WILSON EDWARD  
FUCHS, KELLY WAYNE  
FULCA, MICHAEL JOSEPH  
FUQUA, MICHAEL THOMAS  
FURSMAN, THOMAS  
MICHAEL

GODBOLD, WILLIAM  
FRANK  
GOODMAN, JAMES  
BRAINERD  
GOODWIN, JOHN WILLIAM  
GORDON, ROYAL POLK,  
III  
GORDON, VERNARD  
GLENTRESS  
GOUGHAN, LAURENCE  
DOUGLAS  
GOVE, DAVID ANDREW  
GRANT, DOROTHY  
KENDALL NICH  
GREENAWALT, STANTON  
CHARLES  
GREGORY, THOMAS JOE  
GROOOTHOOSEN, MICHAEL  
ROBERT  
GUSTAFSON, VICTOR  
GEORGE  
GUTH, JAMES DONALD  
GUTHIE, DOUGLAS B

HALSEMA, JOHN  
ANTHONY  
HAMEL, DAVID ANTHONY  
HAMILTON, RANDALL  
WARD  
HAMMOND, CARL  
WILLIAM, JR.

HAMMOND, JANE PETIT  
HAMMOND, RICHARD  
STREVIG  
HAMPTON, JOHN PHILIP  
HANCOCK, DENNIS DUANE  
HANKINS, HENRY  
DOUGLAS  
HANNA, JAMES SAMUEL  
HANSEN, WILHELM  
ADOLF, JR.  
HARDING, WARREN  
ANTHONY  
HARRINGTON, JAMES  
THOMAS  
HARRIS, ANDREW VAN  
VLEET, JR.  
HARRISON, DAVID C  
HARRISON, JOHN THOMAS  
HART, DOUGLAS RAMSAY  
HART, JOHN BERESFORD  
HASSLINGER, KARL  
MICHAEL  
HAWKS, LEE ALAN  
HEATH, LANE BROWN  
HEATH, RONALD YOUNG  
HEATH, TIMOTHY JAMES  
HEIM, RONALD JOHN  
HEINE, DAVID GLEASON  
HEMPER, JAMES PETER  
HENDERSON, JERRY  
HENDERSON, WILLIAM  
JOSEPH  
HERBERT, MAURICE  
MICHAEL  
HERKERT, MARK KLAUS  
HERMAN  
HERRIOTT, RICHARD  
CRAIG  
HESS, RICHARD WARREN

ILLIG, CHRISTINA  
FREDRICKA  
INGLES, GREGORY DAVID

JABLUNSKI, EDWARD  
RONALD  
JACKSON, JAMES  
TALMADGE, JR.  
JACOB, JUDEE CATLIN  
JAGUE, DONALD ALAN  
JAHNKE, LARRY DALE  
JASKOT, RICHARD DALE  
JAYNES, DONN EDWIN, JR.  
JENKINS, CHARLES CUNAZ  
JEWETT, CARLTON BOYD  
JOHNSON, AARON BRUCE  
JOHNSON, KIRK EDWIN  
JOHNSON, RICHARD  
WILLIAM  
JOHNSON, SCOTT  
THOMAS

KAILEY, RICHARD  
FRANKLIN  
KANE, KATHRYN LYNN  
KANGALOS, ANGELO  
JOHN  
KANOCK, ANN FINCHER  
KARSTENS, MICHAEL  
GEORGE  
KASER, ROBERT DALE JR  
KASKY, PHILIP CARL  
KASTEN, GEORGE DEWEY,  
III  
KEESLING, JULIE ANNE  
KEIFRIDER, WILLIAM  
FREDERICK  
KEILTY, JOHN P  
KENNARD, CHARLES  
WILLIAM, JR.  
KERSEY, JOHN KERRY  
JAY  
KIEFER, RICHARD LEE  
KIESELBACH, KENT  
ROBERT  
KINNEY, CHRISTOPHER  
ALBERT  
KIRCHER, HARTMANN  
JOSEPH, IV

LAKE, JAMES ROBERT  
LAMBUNI, MARK  
WALLACE  
LAWTON, DONALD  
MARVIN  
LEE, JAMES EDWARD, JR.  
LEGHART, MARTIN  
JAMES, SR.  
LEIGHTY, MELINDA J  
LEMON, JON FREDRICK  
LENCI, MARK RICHARD  
LENNON, BERNADINE  
ANTOINETTE  
LEOPOLD, GARY R  
LESHER, CLIFFORD ALAN  
LESLIE, DAVID ROBERT  
LEVIN, CANICE KELLY  
LEWIS, BRUCE LEE

HETZEL, GARY PAUL  
HICKS, WILLIAM MICHIE  
HILL, GEORGE CURTIS  
HILL, JOHN DAVID  
HILL, STEPHEN  
ALPHONSUS  
HILL, THOMAS BURCHAM  
HILLERY, ROBERT  
CHARLES  
HILLHUNT, PATRICIA ANN  
HINE, CATHERINE  
ELIZABETH  
HINES, BRADLEY ROBERT  
HIRABAYASHI, DONNA  
MARIE  
HIXENBAUGH, MILADY  
BLAHA  
HOFFMAN, GREGORY  
WILLIAM  
HOFFMAN, RICHARD  
GURNEY, JR.  
HOLLAND, EDMUND  
DANIEL, JR.  
HOLT, ROBERT LEWIS  
HONEY, NANCY EILLEN  
HOPKINS, DENNIS LEE  
HORMAN, JOHN PHILIP,  
JR.  
HOSKINS, THOMAS J. JR  
HOVATTER, PATRICK  
JAMES  
HOFINE, CHARLES  
HENY  
HUNSCUCKER, CHARLES  
RAYMON, JR.  
HUNT, PATRICK W  
HUSKA, RICHARD  
CHARLES

INGRAM, RICHARD  
CAMERON

JOHNSON, WILLIAM  
VINCENT, III  
JOLLER, WALTER CARL,  
JR.  
JONAS, JON BARNETT  
JONES, DAVID HENRY, JR.  
JONES, DAVID LANE  
JONES, EDGAR JOSEPH  
JONES, GARY RAYFIELD  
JONES, LAWRENCE M  
JONES, RITA  
JORDAN, EDGAR ALVIN  
JORDAN, WILL HENRY  
JOYCE, MAURICE  
STEPHEN  
JOREWICZ, THOMAS  
ANTHONY

KIRK, FORREST LARUE  
KISH, GORDON PAUL  
KLAUSS, MARK FREDRICK  
KLEISER, THEODORE  
EARNEST, II  
KLETT, MARK NEIL  
KNAPP, DAVID ALBERT  
KNIGHT, JAMES TODD  
KNIGHT, JOHN RICHARD  
KNOTT, PHILLIP CURTIS  
KNOUSE, CRAIG RICHARD  
KNOX, JAMES ALAN  
KNUTSON, DANNY C  
KOLLMORGEN, LELAND  
STANFORD  
KORNEY, JAMES MICHAEL  
KOSLOSKE, DOUGLAS  
LLOYD  
KRAKAU, BRUCE R  
KRECH, KENNETH  
GEORGE  
KRULL, RODGER PRATT  
KRUSE, MARCIA ANN  
KUEHNLE, DONALD W  
KUPPERS, ROBERT  
HARLOW, JR.  
KUSUDA, ROBERT ALAN

LEWIS, JOHN RICHARD  
LEWIS, MICHAEL KELLER  
LICATA, LEE A  
LILLY, NORVELL LEE  
LINDSAY, RICHARD  
HOWARD  
LINN, KENNETH MICHAEL  
LINSOCT, JEFFREY DEAN  
LIPAKI, MICHAEL SIDNEY  
LIPPETT, ROLLIN  
GEORGE  
LIPSMEYER, WILLIAM M  
LISS, STANLEY MARTIN  
LLOYD, GREGORY  
FRANCIS  
LOCKE, RODNEY MARVIN  
LOCKLEAR, SAMUEL  
JONES, III

LOMOSKI, EDWARD  
FRANK, JR.  
LUNG, LINDA DOLORES  
LOPEZ, DAVID RAYMOND  
LOUZER, DAVID MICHAEL  
LOWELL, RICHARD  
WILLIAM  
LUCK, CHARLES W  
LUECHAUER, GEORGE  
ROBERT, JR.

LUEKER, RANDAL  
EUGENE  
LUKE, RICHARD  
THEODORE  
LUNDELL, GLENN  
WILLIAM  
LUTI, WILLIAM JOSEPH  
LYNCH, JOHN

EUGENE  
PHILLIPS, DUANE JOHN  
PHILLIPS, JOY LYNN  
PHILLIPS, THOMAS  
FRANK  
PISEL, KENNETH PHILLIP,  
JR.  
PLACE, WILLIAM DAVID  
POKORNY, WILLIAM A.,  
JR.

POLLEY, DAVID  
PRESCOTT  
POLO, RAFAEL LAZARO  
POTOPSIINGH, FLAVIOS  
CONSTANT  
POTTER, DON HOLLIS, JR.  
PURCELL, MARC LIONEL  
PURDY, MARY CATHRYN  
HAMILTON  
PURSER, GUY RONALD

ROBERT  
TIMM, RODNEY DEAYNE  
TOMAZIO, ROCCO GUY  
TOMKINS, PHILIP AUSTIN  
TOWNER, RICHARD LOUIS  
TRACY, MICHAEL  
CHARLES  
TRACY, ROBERT E. JR.  
TRITT, GREGORY  
EUGENE

TUOHY, MATTHEW  
WILLIAM  
TURCOTTE, STEPHEN  
ALLAN  
TUTEN, HAROLD  
REDDING  
TYSON, DAVID SHELDON  
WILLIAM, JR.

MACINTYRE, JOHN  
MALCOLM  
MAUEEN, RONALD  
EDWARD  
MAGILL, DAVID S  
MAGUIRE, JOSEPH  
MAHONEY, JAMES  
BERNARD, III  
MALONEY, JOHN KEVIN  
MANTHEI, JERRY LYNN  
MARRA, DAVID LOUIS  
MARSH, JAMES PHILIP, JR.  
MARTIN, DAVID  
BROWNSON, JR.  
MARTIN, RICHARD  
LEROY, JR.  
MARTIN, VAUGHN  
KENNETH  
MASLEY, MICHAEL  
CAMILLE, JR.  
MASTON, MICHAEL  
JOSEPH  
MATHEWS, MICHAEL  
JOHN  
MATHISON, ROBERT  
CRAIG  
MAULDIN, RICHARD JAYE  
MAONEY, CARL VANDIVER  
MAURER, RICHARD  
HENRY, II  
MAUTHE, JOHN MARTIN  
MAWMINNEY, DAVID  
ALAN  
MAYBAUMWISNIEWSKI,  
SUSAN CHR  
MAYER, GEORGE  
EDWARD  
MCANALLY, NANCY DAWN  
MCAULIFFE, WAYNE  
KEITH  
MCCALL, DAVID MICHAEL  
MCCOLLUM, RICHARD LEE  
MCCOMB, JOHN  
THURSTON  
MCCOY, SHEILA  
KATHLEEN  
MCCRILLIS, RICHARD  
THOMAS  
MCCULLOM, SARAH  
SKIPPER  
MCCURDY, RODNEY  
ELWYN  
MCDERMOTT, MICHAEL  
JOHN  
MCDONOUGH, MARTIN  
BRYAN  
MCDONOUGH, ROBERT  
JAMES  
MCDONOUGH, WILLIAM  
MCGLOON, JAMES  
WILLIAM, JR.

MCINNIS, MARCUS ALAN  
MCINTYRE, MICHAEL  
THOMAS  
MCISAAC, WILLIAM  
ANTHONY  
MCKENZIE, COLLEEN JAY  
MCKINLEY, GARY  
MICHAEL  
MCLAUGHLIN, DON OWEN  
MCMAHAN, GERALD  
THOMAS  
MCNALLY, MARK THOMAS  
MCNAMARA,  
CHRISTOPHER P  
MCWAIN, DONALD  
WILLIAM  
MCTIGHE, JOHN  
ANTHONY, II  
MEISSNER, ROBERT  
MICHAEL  
MELNYCHENKO, GEORGE  
ALEXANDER  
MERRILL, JEFFREY PAIGE  
MERRILL, ROY ASHTON,  
III  
MERTEN, RICHARD  
GEORGE  
MILES, PAUL EDWARD  
MILLER, ALBERT  
ANTHONY  
MILLER, BRUCE EDWARD  
MILLER, CATHLEEN ANN  
MILLER, CECIL DREW, JR.  
MILLER, FRANK BLAKE  
MILLER, ROBERT KEVIN  
MILLS, JAMES GILBERT  
MINGES, WILLIAM  
THOMAS, III  
MINGLE, LEO LESTER  
MISCH, GARY LELAND  
MUELLER, ROBERT  
THOMAS  
MOFFATT, MICHAEL  
MINTON  
MOFFATT, SUSAN LYNN  
MOHR, JAMES MARTIN  
MOODY, MARTIN LOUIS  
MOODY, THOMAS RAY  
MOORE, WILLIAM FENTON  
MORRELL, KENNETH  
ARNOLD, JR.  
MORRISON, CHARLES  
ERNEST  
MOSS, LEE OWEN  
MUELLER, LEONARD, IV  
MURPHY, DANIEL  
ROBERT  
MURPHY, LEO FRANCIS  
MYERS, LAWRENCE  
EDWARD

QUILICI, LEO JOSEPH, II  
QUINN, CHRISTOPHER  
DUNCAN  
RACETTE, WILLIAM  
ANTHONY, JR.  
RAMIREZ, MICHAEL  
THOMAS  
RANKIN, CRAIG  
ALEXANDER  
RAY, DAVID CLARK  
READE, ANTHONY  
RAYMOND  
REILLY, ROBERT  
DUNHAM, JR.  
REILLY, THOMAS JAMES  
REILY, PATRICIA JOANNE  
REISH, ROBERT ALLEN  
REYNOLDS, RUNDEL  
GENE  
RICHE, ROBERT SHELDON  
RICHER, PIERRE JOSEPH  
RIEGER, RICHARD  
ALBERT  
RIGAZZI, RICHARD  
ANTONY  
RIKARD, RALPH MILLER,  
JR.  
RINGER, THOMAS JAY  
RIUS, PATRICIA BARROW  
ROBERTS, ALVIN  
NAPOLEON, JR.  
ROBERTS, KEITH ALAN

SAGEN, MICHAEL ERIC  
SALLEY, ROBERT JAMES  
SALTER, LARRY GENE  
SANTOWSKI, RICHARD  
DANIEL  
SAPP, JEFFREY K.  
SAUNDERS, CHARLES  
CONRAD  
SCHENZEL, WILLIAM PAUL  
SCHERER, ROBERT JOHN,  
JR.  
SCHILLING, DEAN  
WALTER  
SCHIRES, BRIAN GERALD  
SCHOENBAUER, MARTIN  
JOSEPH  
SCHOLES, MICHAEL LYNN  
SCHULTZ, ROBERT  
PARKER  
SCHRUCK, GERALD PAUL  
SCHUTZENHOFER,  
ROBERT RUDOLPH  
SCOTT, GLORIA JEAN  
CUMMINGS  
SEEDORF, ROGER  
WILLIAM  
SEIWARD, MICHAEL  
JOSEPH  
SELBY, BRENDA FAY  
SENNESS, PAUL ROBERT  
SERPASS, PAUL  
THEODORE, JR.  
SGRO, DAVID CHARLES  
SHANNON, WILLIAM  
EDGAR, III  
SHARP, JAMES THOMAS  
SHARP, JANE KATHRYN  
SHARP, MICHAEL ALAN  
SHARRETT, PATRICK  
JAMES  
SHEEHAN, JOHN JOSEPH,  
III  
SHEGROD, STEVENS  
KELLER  
SHELTON, JAMES MILTON  
SIMMONS, CARLTON  
ANTHONY, JR.  
SIMMONS, LARRY  
RICHARD  
SISTERHEN, GEORGE  
WILLIAM  
SLENIZWALN, HAROLD  
GIBBS  
SLOSS, DANIEL DAVID  
SMITH, DAVID HARRISON  
SMITH, JOHN WILLIAM  
SMITH, JUDITH ANN  
MILLER

TANT, LAWRENCE  
EDWARD  
TAYLOR, ALFRED WAYNE  
TAYLOR, DAVID  
CHURCHILL

QUINN, TIMOTHY  
PATRICK  
QUIRK, EDWARD JAMES  
ROBINS, SALLY SCOTT  
ROBINSON, DECATUR  
MAYNARD  
ROGERS, DAVID ANDREW  
ROGERS, EDWARD  
JOSEPH, III  
ROHLING, HENRY JOHN  
ROLLINS, RICHARD LEE  
ROMANO, STEVEN  
RONACHER, ANDREW  
JOSEPH, JR.  
ROSENTHAL, ELLEN SUE  
ROSS, JOHN KIRKLAND  
ROOMAYA, LOUIS  
THADDEUS  
ROOSE, ALFRED CARR  
ROWLAND, GEORGE  
FENTON, JR.  
RUDD, DEE ANN KAAZ  
RUDD, JERRY ALAN  
RUOTI, ANTHONY JOSEPH,  
JR.  
RUSH, RICHARD  
CRITTENDON  
RUSSELL, BRUCE RAE  
RUSSELL, DARRELL  
ANTHONY  
RYAN, DAVID MICHAEL

SMITH, LUANNE JOY  
SMITH, PAUL THOMAS  
SMITH, STEVEN SAMUEL  
SNEED, BRANDON M.  
SNYDER, JAMES SIDNEY  
SKOLOWSKI, JOHN  
ANTHONY  
SOLE, CRAIG ROBERT  
SOUDER, CHARLES  
CURTIS  
SPADARO, ANGELO  
JOSEPH  
SPILMAN, THEODORE  
LOUIS, III  
SPURR, JOSEPH JAMES  
SQUICCIARINI, PETER  
DANTE  
STAFFORD, CALVIN  
THOMAS  
STAFFORED, JOE N.  
STAGL, FRANK PETER, JR.  
STAIR, GERALD KENT, JR.  
STAKE, ANNE  
BATCHELDER  
STANLEY, PAUL STEPHEN  
STANTON, PAUL EUGENE  
STARK, JAMES KING, JR.  
STARZY, VIRGINIA LYNN  
STEEN, ALLEN ROBERT  
STEGE, JAMES MICHAEL  
STEINBAUGH, MICHAEL  
LEE  
STEPHENSON, GEORGE  
MARTIN  
STEPHENSON, MICHAEL  
PAUL  
STEVENS, IRA BOYD  
STEVENS, RICHARD  
EVERETT, JR.  
STIVERS, JOHN VICTOR  
STRAIGHT, GEORGE W.,  
III  
STRANCE, KRISTOPHER  
LEIGH  
STROIT, JOHN BURNETT  
SULLIVAN, CHRISTOPHER  
PAUL  
SULLIVAN, MARK DAVID  
SURBRIDGE, THOMAS  
BOND  
SWEENEY, KEVIN JOHN  
SWEENEY, MARK JAMES  
SWEENEY, RANDAL CLAY  
SWEENEY, ROBERT LOUIS,  
II  
SWOISH, DOUGLAS  
RAYMOND

TEATES, JOHN FRED  
TENGA, RICHARD  
THOGERSON, JOHN, II  
THOMAS, DAVID LYLE  
THORNE, WILLIAM

VAGTS, WAYNE FRANZ  
VAUGHN, GREGORY  
MARTIN  
VECCHIULLA, THOMAS  
ANTHONY  
VEHSLAGE, LOUIS  
MOBANE  
VEIGA, ANTHONY  
ALBERT, JR.  
WAGNER, CHARLES  
GILBERT  
WAGNER WAYNE AVERS  
WALKER, FARLEY LEE  
WALKER, WILLIAM  
ROBERT, JR.  
WALLACE, DAVID BRUCE  
WALLACE, JUSTIN LEW  
WALSH, JOHN JOSEPH  
WALSH, JOSEPH A.  
WALSH, STEPHEN WILSON  
WALTERS, CLYDE  
THATCHER  
WALTERS, JOHN MICHAEL  
WARD, DAVID THOMAS  
WARMERBORN, ROBERT  
JOHN  
WARNER, JOHN  
RAYMOND  
WASHINGTON, LEROY  
LOUIS, JR.  
WATSON, LARRY JAMES  
WATSON, MICHAEL  
GRANT  
WATT, THOMAS ROBB  
WEAVER, FLOYD RALPH  
WEAVER, KEITH THOMAS,  
II  
WEBBER, CHARLES  
FERGUSON  
WEBER, BRUCE ALLAN  
WEDDLE, JEFFREY D  
WEGNER, BRIAN JOHN  
WEINHARDT, STEPHEN  
ALLEN  
WEIR, STEVEN THOMAS  
WELLOCK, STEPHEN  
MARK  
WENTZEL, BRUCE MORRIS  
WEPPO, JOHN HENRY  
WERONKO, WILLIAM  
ALLEN  
WEST, CAROL  
WEST, ROBERT CHARLES  
WHITE, JAMES  
FREDERICK, III  
WHITE, SCOTT RANDALL  
WHITE, STEPHEN ROBERT  
WHITEHEAD, CORNELIA  
DE GROOT  
WHITMER, LYNDEN  
DUANE

VERHUPSTADT, FRANCIS  
ALBERT  
VERMILYEA, SHARON LEE  
VERNON, ROBERT JOHN  
VIBERT, JOSEPH JOHN  
VILOTTI, DANIEL THOMAS  
VISCOVICH, PAUL  
WILLIAM, JR.

WILDEMANN, LEONARD  
WALTER, II  
WILLIAMS, CHARLES  
ELRA, II  
WILLIAMS, RICHARD  
BARRY  
WILLIAMS, RUSSELL  
THOMAS  
WILLIAMS, THOMAS  
DARIUS, IV  
WILLIS, JOSEPH WALTER,  
JR.  
WILLIS, MONTGOMERY  
PAUL  
WILLSON, JOHN LANE  
WILLY, JAMES MICHAEL  
WILSON, DAVID JOSEPH  
WINDSOR, GEORGE  
BURTON  
WING, VERN FRANKLIN  
WITTENBERG, CHARLES  
FREDERIC  
WOLFF, WILLIAM STEVEN  
WOOD, DAVID WILLIAM  
WOODARD, TRYGVE  
MYLO  
WOODS, JAMES  
AUGUSTUS, JR.  
WOOTEN, HUBBARD  
SMITH, III  
WRIGHT, WILLIAM FRED  
WRUNA, KENNETH  
WALTER  
WORZEL, DONALD JOSEPH  
YATES, SANDRA JACGER  
YOUNG, GREGORY  
DENTON  
YOUNG, ROBERT JOSEPH  
YOUNG, ROBERT VANCE  
YOU'REE, LINDA  
MARGARET  
ZACHARIAS, DAVID  
ALEXANDER  
ZAPOLSKI, EDWARD  
STANLEY  
ZELLER, RANDEL  
LEONARD  
ZIGNIGO, DOUGLAS  
JAMES

NAGEL, KENNETH  
GEORGE  
NALL, STEVEN FORREST  
NAPLE, TIMOTHY  
MICHAEL  
NATALE, JOSEPH JOHN  
NAWROCKI, JOHN  
THADDEUS  
NELSON, ARNE JOHN  
NELSON, ROBERT WAYNE,  
JR.  
NESHIEM, PAULETTE RAE

NESSETH, RODNEY  
WAYNE  
NICOL, ROBERT GLENN,  
JR.  
NIMITZ, STEPHEN CLARK  
NORTHAN, DONALD R  
NORTON, CARLETON  
PORTER  
NORTZ, JOSEPH EDWARD  
NOWAKOWSKI, MICHAEL  
PETER

OAKLEAF, ANN CHERYL  
OBRIEN, DAVID  
RICHMOND  
OCONNOR, MICHAEL  
PATRICK  
OCONNOR, THOMAS  
JOSEPH, JR.  
ODAY, DALE KATHLEEN  
OFFER, DEREK FRANCIS  
OHANLON, RICHARD  
OLCOVICH, GEORGE  
EDWARD  
OLEARY, JAMES JOSEPH  
OLIVER, MICHAEL  
ROLLAND  
OLIVERIA, DAVID  
KENNETH  
OLSON, CARL DAWSON  
ORRHULA, WILLIAM  
RALPH  
OROORKE, JAMES JOSEPH  
OROORKE, JOHN TOWER  
OWEN, RICHARD P  
OWENS, CHRISTOPHER  
DAVID

MOWENS, PHILIP ALLAN  
OWSLEY, ROBERT CLARK  
PAGANO, RANK EDWARD  
PAGE, MARSHALL TYLER  
PARCE, JOHN DICKSON  
PARHAM, WILLIAM LYNN,  
JR.  
PARICO, ROBERT  
FRANCIS  
PARISH, DAVID CLARK  
PARK, STEPHEN JAMES  
PARKER, DESLEY SANT  
PALLERSON, ROBERT  
FREDERICK  
PATTOON, DANIEL  
CHARLES  
PAULIS, JOSEPH JOHN  
PEARSON, VICKI SUE  
PECH, DAVID JOSEPH  
PERKINS, RICHARD  
CHARLES  
PETERSON, PAUL DANIEL  
PETERSON, WAYNE  
PHILIPP, DOUGLAS TYLER  
PHILLIPS, DANIEL

## ENGINEERING DUTY OFFICERS

## To be commander

ARMSTRONG, DAVID  
THOMAS, JR.  
BECKER, JOHN J  
BIEGELEISEN, LOUIS  
KING  
BOURNE, CARLTON  
MITCHELL  
BROOK, JEFFREY ALLEN  
BROWN, GARY LEROY  
BROWN, WILLIAM  
HAROLD  
BRUNSON, FRED  
WENDELL, JR.  
BUTLER, JOHN DALE  
CADWELL, CHARLES  
ARTHUR, JR.  
CECERE, MICHAEL LEWIS,  
III  
CETEL, ALAN JEFFREY  
CONNELL, ROGER JOHN,  
JR.  
COULTER, STEPHANIE  
LYNNE  
EDWARDS, JOHN A

FITZGERALD, JAMES  
EDWARD, III  
GAMBLE, DAVIS  
RUDOLPH, JR.  
HAMMER, DAVID ALLEN  
HERBEIN, DAVID SAMUEL  
HUTCHESON, CHESTER  
JACKSON, I  
JOHNSON, MICHAEL  
DAVID  
JONES, STEVEN ALLEN  
KAESER, DANA STEPHEN  
LANGAN, JOHN RICHARD  
LARSON, KEITH ROBERT,  
JR.  
LORHAMMER, DUNN  
NORMAN  
LOUIE, CHUCK LONG  
LUEBKE, WILLIAM  
HOWARD  
MANDIGO, ALAN  
MITCHELL  
MARSH, BERT

MASON, BRADLEY J  
MASON, JAMES THOMAS  
MCCAULEY, JEFFREY  
FRANCIS  
MORGAN, EDWARD  
BENJAMIN  
MULHOLLAND, DAVID  
JOSEPH

NISHIMUKA, RODNEY  
NULLIE, THOMAS CLYDE,  
JR.  
OHARE, MARK STEPHEN  
PARKER, FREDERICK  
HOBBS  
POLLARD, MARSHALL  
PRITCHARD, NULIE

DELTON, JR  
PRUITT, TED E  
RIES, DANIEL EDWARD  
ROBERTS, ROGER  
WILLIAM  
SCHWARTING, RICHARD  
ALVIN  
SHAW, RICHARD  
STEWART  
SIEDBRAND, MARC AARON  
SMART, SCOTT WILLIAM  
THOMPSON, CHRIS ALLEN

**AERONAUTICAL ENGINEERING DUTY OFFICERS  
(AERONAUTICAL ENGINEERING)**

**To be commander**

BOLINGER, WILLIAM  
KELLY  
BORD, JAMES EDWARD  
CLARK, RICHARD NOBLE  
CURTIS, JOHN THOMAS  
DELPINO, JOSEPH  
MICHAEL  
DUNLAP, DONALD KING  
DUYM, WADE DOUGLAS  
EDGAR, LESLIE IRVINE  
EVANS, TIMOTHY SCOTT  
GAGNON, DONALD  
ROBERT  
KOPOVITS, TERRY  
MICHAEL

LANGFORD, JOHN DEN, JR  
MASSICOTTE, THOMAS  
EMILE, JR  
MCCORKLE, JACK  
WOODWARD, JR  
MCKANNON, THOMAS  
MARTIN  
NOVAK, PAUL MICHAEL  
ONEILL, GARY SEAN  
ROGERS, WALTER LEO  
SMITH, GARY PHILIP  
STICHTER, MICHAEL  
CHARLES  
WINSTON, JEFFREY  
NEWELL

**AERONAUTICAL ENGINEERING DUTY OFFICERS  
(AVIATION MAINTENANCE)**

**To be commander**

CLARKE, STEPHEN PAUL  
CONNAL, EDSON NELSON,  
CLAWITER, JAMES HENRY JR

TRITCHLER, WAYNE  
KURT  
VASQUEZ, HARRY WAYNE  
VIOLETTE, THOMAS F.  
WALKER, LAMBERT  
ROGER, III  
WATSON, JOHN ANTHONY  
WEBB, KENNETH RAY  
WHYMS, MICHAEL LEE  
WICKS, JAMES HENRY, JR  
WILHOIT, GEORGE  
ZACHARY

DIERMAN, DIANE JEAN  
EZZARD, HENRY SPEER,  
JR  
FITZGERALD, CHERYL  
ANN  
GIBSON, STEVEN  
BRADLEY  
LANINI, ERNEST DALE

**AVIATION DUTY OFFICERS**

**To be commander**

HOWARD, WALTER  
GREGORY, JR

LAUDERDALE, WALTER  
RICHARD  
LIVINGSTON, CRAIG  
BRUCE  
LYNCH, ANNE  
MARKS, KENNETH ALLEN  
VANSICKLE, JOHN DAVIS

**SPECIAL DUTY OFFICERS (CRYPTOLOGY)**

**To be commander**

BOYD, LLOYD RUSSELL,  
JR  
FIETDKOOLEONARD,  
ELLIS ARVIN  
HUTCHINSON, RICHARD  
M, III

KETTERER, BARRY LINN  
KURDYS, MARTIN PAUL  
LINTHICOM, RICHARD C  
MYERS, CHARLES  
NEWTON  
KAY, PHILIP DANIEL

**SPECIAL DUTY OFFICERS (INTELLIGENCE)**

**To be commander**

ABBOTT, EDWIN DALE  
ABBOTT, THOMAS RALPH  
AMBLER, JAY C  
ASKINS, LARRY EDWARD  
BEAUVAIS, DOUGLAS  
JAMES  
BLACK, MICHAEL THOMAS  
BRANDON, HARRY  
MARCUS  
BROWN, ELENA  
WEICKARDT  
COX, JAMES CRAWFORD,  
JR

CRUMLEY, EDWARD  
CRAIG, JR  
HOLMES, THOMAS  
BERNARD, JR  
JAYCOCK, STEPHEN  
CHARLES  
LAAKSO, WILLIAM  
LEONARD  
LAWRENCE, MARK  
STEPHEN  
LEVI, JOSEPH CANAN  
MYERS, ERIC M.  
OZOOP, WESLEY ALAN

RICHASON, STEVE KANE  
ROCKER, FREDERICK  
SMOUSE, WILLIAM  
MORTON  
STROHMAYER, DONALD  
FRANCIS

TATE, JOHN CASWELL  
VAUGHN, HOLLY ANNE  
VNER, KIMBERLY  
DOUGLAS  
WAHL, MICHAEL JAY  
WEIDMAN, ROBERT PAUL

**SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)**

**To be commander**

FARRAR, GEORGE  
WILLIAM

QUIGLEY, CRAIG ROBERT

**SPECIAL DUTY OFFICERS (OCEANOGRAPHY)**

**To be commander**

CALLAND, WYNN EDWARD  
CLARK, ROBERT LOUIS  
DONALDSON, THOMAS  
QUINTON V  
HALL, CHRISTOPHER  
JAMES  
JARAMILLO, BERNARDINO  
JOSE

LARSEN, DENNIS GLENN  
RANELLI, PETER HENRY  
STRINGER, GARY LEE  
SWAYKOS, JOSPEH  
WALTER  
WARRENFELTZ, LARRY  
LEE

**LIMITED DUTY OFFICER (LINE)**

**To be commander**

ALBURY, MERRILL C  
BISSONNETTE, JOHN R  
CAMPELLE, DAVID B  
CASTLE, WILLIAM R  
DREWES, KENNETH N.  
FARLEY, DAVID E  
FREEMAN, JAMES B  
GEITHMANN, GARY  
RICHARD  
GUNTER, DANNY OLIN  
HANSON, JAMES H  
HURDLE, DANIEL C, JR

JAEL, ROLAND H  
MAURER, PAUL M  
MOON, EDWARD MARION,  
JR  
PROCTOR, DANNY LEE  
ROHLF, DALE MERTON, JR  
SMITH, GEORGE W  
STODDARD, LEON BERT  
THOMAS, RICHARD HUGH  
TIDD, THOMAS JOSEPH  
WILLITS, LARRY LESTER